



Personnel Management Plan

Culpeper County, Virginia

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I. Purpose

The following personnel policies have been prepared and established for the information and guidance of the County employees and other interested parties. It is the intention of the Board of Supervisors to provide an orderly system of Personnel Administration as an aid to achieving better public service for the County.

Personnel regulations are developed and adopted to provide for the recruitment and development of the best available employee for each position. The regulations are established to ensure that:

1. Employment with the County shall be made attractive as a career.
2. All appointments and promotions shall be on the basis of merit and fitness, which, as far as is practicable, shall be determined by means of job-related, fair and competitive standards.
3. The Pay and Classification plan will be conducted and managed in accordance with all wage and hour regulations.
4. Each employee shall be encouraged to render his or her best service by providing a merit plan of employee evaluation and compensation.
5. Each employee will be knowledgeable as to the standards of conduct and performance expected for success in his or her position.
6. Each employee will receive fair and equitable treatment according to employment laws, including, but not limited to, the Fair Labor Standards Act, the National Labor Relations Act, the Age Discrimination in Employment Act of 1967, Title VII of the Civil Rights Act of 1964, the Civil Rights Act of 1991, the Americans with Disabilities Act of 1991, and the Family and Medical Leave Act of 1993, all statutes, as amended, supplemented, or implemented.

II. Scope

Generally these policies apply to all regular full-time, part-time and probationary employees appointed by the Board of Supervisors or the County Administrator, or, as otherwise indicated. Employees of Constitutional Officers may be covered by these policies if there is a written mutual agreement between a Constitutional Officer and the Board of Supervisors. With the adoption of the Unified Pay and Classification Plan in December 1998, the employees of the Constitutional Officers participate in the procedures associated with it as described in Exhibit "A", Unified County Pay and Classification Plan.

Personnel exempt from the Personnel Management Plan shall include the following:

1. All elected officials.
2. Members of boards and commissions.
3. Volunteer personnel and personnel appointed to serve without pay.
4. Consultants and non-employee counsel rendering professional service.
5. Positions involving seasonal and/or temporary employment except as otherwise provided herein.
6. Positions having a direct, contractual arrangement with the Board of Supervisors, except as provided in the specific contractual arrangement.
7. Employees of the School Board and Social Services Department.
8. Student interns and work-study employees.
9. Such other positions as may be designated by the Board of Supervisors.

III. Use of Gender Specific Pronouns Herein

For convenience and ease of language usage, the masculine pronoun is frequently used herein to designate position incumbents. The use of the masculine is only for convenience, designates both the masculine and feminine genders, and should not be construed in any way as discriminatory to or for either gender.

IV. Interpretations

The County Administrator is authorized to make any necessary interpretations and clarifications of these policies. He may also issue administrative regulations or directives not inconsistent with these policies.

V. Smoke Free Policy

All owned or leased County buildings shall be smoke free. Each department/building may designate an outside smoking area that shall minimize the risk of secondhand smoke exposure.

VI. Definitions

1. *Administrative Leave.* An employee's absence from the job with pay, which is not charged to annual leave. Administrative leave may be utilized in a number of instances, but is most commonly utilized as a means of removing an employee from the workplace in order for the conduct of an investigation.
2. *Administrative Termination.* Employees who are hired by appointing authorities to fill positions that are later not funded by the Board.
3. *Amended Position.* In classifying amended position (i.e. changes to existing position), these represent those positions in which the position's essential functions have not been significantly changed in either type or degree, as identified in their Position Descriptions.
4. *Anniversary Date.* Anniversary date shall be first date of employment with the County.
5. *Authorized Closings.* When County operations are suspended officially, as determined by the County Administrator. The normal time frame for such closing usually is 8:00am to 5:00pm and any closing is reported on the inclement weather line, 540-727-3444 ext 9. Employee may also request to be notified via the Call Automated Notification System (CANS). An authorized closing may be for an entire shift, or for a partial shift, such as in the case of late openings or early closings, as directed by the County Administrator.
6. *Base Index Adjustment (BIA).* A percentage based on a rolling 36 month average of the Consumer Price Index (CPI), as of the month of December in each year. The BIA will be applied to the grade midpoint of the salary structure each year and will be granted to all employees who meet acceptable standards of the position
7. *Classification Scale.* The grouping of positions, considers: (1) kinds of duties performed and responsibilities; (b) level of duties performed; (c) requirements as to education, knowledge and experience, and abilities; (d) other indicators of performance.
8. *Compensatory (comp) Time.* Type of work schedule arrangement that allows employees to take time off instead of receiving overtime pay.
9. *Completion of Temporary Employment.* Separation from employment of a temporary employee who has worked through the last workday the position is available.
10. *Counseling.* A discussion or writing in which the between the Department Head or designee, discusses with the employee his deficient or unsatisfactory performance, in order to correct the performance.

11. *County Property* – Any tangible or intangible item that the county has ownership and control over.
12. *Demotion*. Employees' movement from one position to another that is at least one grade lower or a reduction in the pay grade of an employee in conjunction with a change in position duties and responsibilities. When an employee is reduced to a lower pay grade, the step within the new pay grade shall be determined by the County Administrator
13. *Disciplinary Action*. A formal action taken in response to an employee's improper behavior and/or violation of the Standards of Conduct.
14. *Documentation Pages*. A form used to thoroughly document the types of acceptable and unacceptable behaviors and/or work performance that are listed in the performance indicator section of the performance evaluation form.
15. *Essential Employee*. An employee, designated by the County, who shall be required to work any given hours during an authorized closing.

Essential positions include: General Properties (Building Maintenance) staff; Transfer Station Gate Attendant and Convenience Site Attendants for the Laurel Valley site; Emergency Medical Technicians/Firefighters; Animal Shelter caretaker for feeding and cleaning duties only; E911 Emergency Communications Center employees (dispatchers); and any other positions deemed essential by the County Administrator and added to the list.

16. *Exempt employee*. An employee who, because of his qualifications, duties, and responsibilities, and level of decision making authority is not entitled to overtime or compensatory leave under the provisions of the Fair Labor Standards Act.
17. *Full Time Employee*. Any employee who is generally scheduled to work at least 2,080 hours in 12 consecutive months or (40) hours in a week, unless a different time is required or authorized by Virginia or federal legal requirements. Full time employees are eligible for all County benefit programs.
18. *Grading Scale*. Positions are assigned to grades listed in the salary structure containing salary ranges expressed in terms of minimum, midpoint and maximum salaries.
19. *Hours Worked*. All time spent in physical or mental exertion controlled or required by the employer. Such time includes assigned work as well as work that an employee is suffered or permitted by the employer to perform. Employees shall be compensated for all hours worked unless such time is performed in *de minimis* (seven minutes or less) or in small amounts which are administratively difficult to record
20. *New Position*. In classifying positions, newly created positions represent those:
 1. Which did not previously exist; or
 2. Which the essential functions of an existing position have been significantly changed in type or degree, as identified in their position descriptions.
21. *Non-Essential Employee*. An employee who is not required or expected to work during an authorized closing. Non-essential employees may become essential employees, and should be notified of any such change in status as soon as practicable.

22. *Non-exempt employee.* An employee who is subject to all provisions of the Fair Labor Standards Act and must be paid overtime at the rate of time and one-half for hours worked in excess of 40 hours in any given week, unless working under another schedule authorized by the Fair Labor Standards Act.
23. *Normal Starting Salary.* A candidate for hire may be offered a starting salary up to the midpoint but no less than the minimum of the pay range for the position. All offers shall be based on the candidate's knowledge and experience as indicated and verified through the selection process. Potential starting salary above midpoint must be approved by the County Administrator.
24. *Official Personnel File.* The employment file containing personal information relevant to the individual's employment, which is maintained and housed in the Human Resources Department.
25. *Overtime.* Hours worked beyond the normally applicable hours of the standard work week which are compensated, whether paid to the employee or is designated as compensatory time, at one and one-half times an employee's regular rate of pay, unless otherwise authorized by the Fair Labor Standards Act.
26. *Part Time Employee.* Any employee who is assigned to a work day of less than eight (8) hours or a work week of less than forty (40) hours, unless otherwise required by Virginia or federal law. Regular part time employees may be eligible for non-County paid benefit programs.
27. *Performance Evaluation.* A form is used to assess the employee's performance of the requirements of the position listed in the position description. Salary increases are tied to overall performance levels, as determined by the performance evaluation.
28. *Performance Improvement Plan.* A written plan of action composed to improve employee deficient performance based on attitude or inability to perform according to standards of conduct and performance.
29. *Position Analysis Questionnaire* This document, herein referred to as the PAQ, is a form on which the essential functions, secondary ("marginal") functions, percentages of time involved in performing these functions, frequency of performing the functions and other information is delineated in specific detail. These documents are used to evaluate each position within the salary structure, including the location within the salary range, based on compensable factors. The PAQ is also used to create the position description itself.
30. *Position Description* This document is used to list the essential and secondary ("marginal") functions of a particular position, its minimum requirements in terms of education, experience and other knowledge, skills and abilities, as well as other indicators of performance. It describes the physical and mental traits necessary for performing the position at its fully proficient level. The description is a dynamic document, requiring alteration as functions are added and deleted
31. *Probationary Employee.* An individual who is in the initial employment probationary period for the position in which he or she is assigned.
32. *Pre-Approved Leave.* Leave which has been *previously authorized in writing prior to the commencement of the absence*, whether for vacation or illness purposes.
33. *Probationary Period.* The initial employment period of time during which an employee is carefully supervised to see if the new employee is compatible with the job. All applicants that are hired in a full or part time position shall serve a six month probationary period. The probationary

period may begin on the date of hire, once training has been completed, or as stated in the offer letter but must be completed within the first year of employment. Probationary employees do not have grievance rights under the Personnel Management plan.

34. *Promotion.* Employee's movement from one position to another that is at least one grade higher because of the employee's knowledge, skills and abilities and business needs. When an employee is promoted, salary shall be increased to the minimum for the assigned grade, or up to the midpoint for the assigned grade unless otherwise approved by the County Administrator.
35. *"QUILS" Awards.* A one time, lump sum award granted to employees for *Quality, Innovation, Leadership and Savings*. The award is not to exceed 10% of the employee's salary, and nominations for QUILS must be approved by the Board of Supervisors Personnel Committee
36. *Reclassification.* An evaluation of the duties and responsibilities of a position to determine the appropriateness of the present grade which results in a change of classification. Reclassification will only be considered if additional duties have been added to or removed from an existing position.
37. *Re-employment.* The status of an employee returning to County employment following a separation from County employment of more than thirty (30) consecutive calendar days. The re-employed employee's starting salary and a new anniversary date shall be determined according to the provisions of the Unified Pay and Classification Plan. Only time earned following actual reemployment is counted toward the probationary period, annual leave, or most other longevity-based County employee conditions or benefits.
38. *Regular Employee.* This term refers to the status of an employee having successfully completed the probationary period. The employee does not have a set duration for the employment relationship, but instead is assigned to a regular, ongoing position included in the County's complement of positions.
39. *Reinstatement.* The status of an employee returning to County employment within thirty (30) calendar days from the date of separation. The reinstated employee's anniversary dates remain the same, and all time earned prior to reinstatement shall be counted towards annual leave, etc., with actual time missed being deducted from leave accrual.
40. *Resignation.* Voluntary separation from employment through written notification initiated by the employee to the employing department. Written notification shall indicate the actual date the resignation is to become effective and shall be signed by the employee.
41. *Retirement.* The separation of a full-time employee who is qualified and scheduled to begin receiving retirement benefits.
42. *Separation.* The severance of the employment relationship between the County and an employee. This severance occurs through resignation, retirement, termination, lay-off, permanent disability or death.
43. *Standards of Conduct.* Examples of behavior that is considered acceptable and unacceptable in and out the workplace.
44. *Suspension.* An employee's absence from work, without pay, that a department imposes as a part of a disciplinary action and/or to remove the employee from the workplace pending (1) an

investigation related to his or her conduct, or (2) a court action based upon the employee's conduct that violates the standards of conduct set forth in section VIII, Standards of Conduct in the Personnel Management Plan.

45. *Temporary Employee.* This term refers to an individual whose term of employment is for a fixed period of time – usually limited to a year or less. Frequently, these employees are in positions that are not included in the County's complement of positions, and are not eligible to participate in County benefit programs.
46. *Termination.* An involuntary separation from employment initiated by the employing department or the appropriate authority under the Personnel Management Plan or applicable law as a result of the employee's unsatisfactory work performance or misconduct.
47. *Transfers.* Employees' movement from one position to another in the same salary grade. Generally, these do not affect salary or anniversary date.
48. *Written Notice of Disciplinary Action Form.* A form used to provide formal written documentation to the employee from the supervisor wherein the employee is advised and cautioned with reference to misconduct and/or unsatisfactory performance.

I. Purpose

The County of Culpeper is committed to employ, in its judgment, the best qualified candidates for approved positions while engaging in recruitment and selection practices that are in compliance with all applicable employment laws.

II. Scope

This policy applies to all employees.

III. Procedures**A. Equal Opportunity Employer**

1. The County of Culpeper is an Equal Opportunity Employer. All applicants for employment will be considered without regard to race, sex, creed, religion, national origin, age or physical disability, veteran status or other protected status.

B. Employment At Will

1. All County employees are employees-at-will under Virginia law.
2. In the event that separation of employment is to occur all employees are requested to provide at least a two (2) weeks notice.
3. Eligible employees may exercise grievance rights under Section X of the Personnel Management Plan. However, during the initial probationary period an employee has no grievance rights under the Personnel Management Plan.

C. Authority to Hire

1. Each Constitutional Officer has the authority to hire for positions in his or her department provided funding has been approved.
2. The Board of Supervisors makes appointments for all other positions covered by these policies; however, the Board hereby delegates this authority and responsibility to the County Administrator for all positions other than as required by law. The County Administrator, accordingly, delegates hiring authority to department heads for available positions within their respective departments.

D. Recruitment

1. The Department Head or designee shall notify the Human Resources Department when a position becomes vacant, and is to be filled. It is the responsibility of the department to ensure that the position description accurately reflects the essential functions of the position before recruitment begins.
2. Departments Heads or designee must chose to utilize one of the following recruitment options when filling a vacancy. The option chosen would be based on a variety of factors such as the availability of qualified applicants.
 - a. *Internal recruitment* – only regular, current employees may apply
 - b. *External recruitment* – only the general public may apply
 - c. *Internal and External recruitment* – enables the general public and regular, current employees to apply
3. Vacancy announcements shall be created by the Human Resources Department with the assistance of the Department to reflect a summary of the position's duties, minimum qualifications, special requirements, and any other necessary, lawful information.
4. Vacancy announcements shall be posted for a minimum of five (5) consecutive workdays.

Departments may chose to utilize the following posting options based on the availability of qualified applicants, the number of positions to be filled, and department needs.

- a. *Fixed recruitment period* – announcements are posted for a fixed period of time. All applications submitted before the closing date shall be considered and any applications received after the closing date shall not be considered. A closing date must be specified.
 - b. *Open until filled recruitment* – announcements are posted for an open period of time but no less than the required five (5) workdays. All applications shall be accepted and reviewed until the position is filled.
 - c. *Continuous recruitment* – announcements are posted continuously, whether or not a vacancy is available due to high turnover within a department, difficulty in attracting qualified candidates etc. Continuous recruitment may be terminated at anytime, but all applications shall be considered based on the vacancy occurrence and application submittal.
5. All internal recruitments must be posted on the Internal Job Openings webpage located in the Human Resources section of the county's website. All applications will be submitted through this system.
 6. All external recruitments must be posted on the Internal and External Job Openings webpage's located in the Human Resources section of the county's website. All applications will be submitted through this system
 - a. Other recruitment sources such as local newspapers, job specific websites, etc may also be used to recruitment candidates,
 7. If initial recruitment does not result in an adequate applicant pool, departments may reopen recruitment as necessary.

Deviation from this policy for any type of recruitment requires Human Resources Director and/or County Administrator's approval.

E. Selection

1. All applications shall be reviewed by the Human Resources Department and/or Department Head or designee. The County of Culpeper may accept resumes in addition to an application form if received by the closing date.
 - a. An initial telephone conversation with applicant(s) may be used to clarify qualifications and expectations of the job.
2. All candidates who meet the minimum qualifications of the position shall be scored based on their knowledge, experience, and skills.
3. At least the top most qualified candidates shall be interviewed for the position. *No person shall be hired without being interviewed for the position.*
2. A set of interview questions shall be developed and asked of each applicant during the formal interview process. Questions shall seek relevant information related to the essential functions, minimum qualifications, behavior, etc. required to perform the job, and shall not violate equal employment opportunity standards.
3. Formal interviews may be conducted by the Department Head or designee(s). Any members participating in the interview process shall:
 - a. Be familiar with the essential functions of the position
 - b. Receive appropriate training, instruction or guidance on lawful interviewing selection before

- participating
- c. Hold confidential all information related to the interviewed applicants, selection and recommendation.
4. Interviewers shall document, and score each applicant's responses to interview questions to assist with interviewer's evaluation of each candidate's qualifications. The candidate with the highest score shall be offered the position.
 - a. If two or more candidates attain the same score, the candidate who exhibits more strength in the most important areas of the position shall be offered the job first.
 5. All individuals, including new hires, and employees who are transferred, demoted or promoted to a new position, shall sign an acceptance letter outlining the employment relationship if selected for the position, which shall be placed in their personnel file.
 6. An employee may be required to sign, as condition of employment, a contract to reimburse expenses related to County paid sponsored training if an employee leaves employment before completing a reasonable period of service as described in the contract. In the event that separation occurs prior to satisfactory completion of the contract period, the employee:
 - a. Shall authorize the County to withhold the reimbursement amount owed from the employee's final paycheck as allowable under Federal and state law;
 - b. Shall be personally liable for any remaining balance that is or cannot be deducted from the employee's final paycheck until the entire amount owed is paid in full.

Deviation from this policy for any type of recruitment or selection requires Human Resources Director and/or County Administrator's approval.

F. Background Checks

Prior to employment the County of Culpeper may require and consent to perform various background checks based on the functions of the position. This list is not to be deemed as all inclusive.

1. The Department Head or designee shall check references of the applicant who is the final candidate for the position, and should attempt to obtain the following information:
 - a. Name and title of the person giving reference
 - b. Verification of employment dates, position title and duties
 - c. Verification of beginning and ending salaries
 - d. Applicant rehire status
 - e. Verification of any license, certification or degree the applicant claims to possess
2. The following criteria shall be used for conducting background checks.
 - a. Criminal history background checks shall be performed for every position
 - b. Driving Records checks shall be performed for every position where driving is an essential function of its duties or any position that could potentially drive a county or personal vehicle for county business.
 - c. Child Protective services and sex offender registry checks shall be performed for positions that directly work with youth under the age of eighteen (18)
 - d. Other background checks may be performed based on the essential functions of the position.
3. Regular employees applying for a transfer, promotion or demotion shall be subject to background checks as deemed appropriate for the vacant position.
4. All information obtained during background checks shall be documented and retained, if

appropriate, with other recruitment and selection documents, or in the employees personnel file.

G. E-Verify

The County of Culpeper participates in E-Verify. All new hires must complete the Form I-9 and have the information submitted to the E-Verify system as a condition of employment. New hires may choose documents for use in completing Form I-9; however, as a participant in E-Verify the County must obtain the social security number and require documents submitted which appear on the Form I-9 List B to contain a photo when there is no objection for religious reasons.

H. Probationary Period

1. All applicants, when hired in a part or full time position shall serve a six month probationary period, and performance shall be reviewed no later than two weeks before the end of the probationary period.
2. The probationary period may begin on the date of hire, once training has been completed, or as stated in the offer letter but must be completed within the first year of employment.
3. If, at any time during the probationary period, there are any concerns about the employee's capability or willingness to perform satisfactorily:
 - a. A performance improvement plan may be developed to outline areas of improvement;
 - b. The probationary period may be extended to a maximum of an additional six (6) months provided that the probationary period is completed within the first year of employment.
 - c. The employment may be terminated at anytime with or without cause.
4. During the initial probationary period an employee has no grievance rights under the Personnel Management Plan.

I. Normal Starting Salary

1. The starting salary shall be based on the individual's knowledge, experience and skills.
2. All starting salaries shall be no less than the minimum, and should not exceed the mid-point of the position's pay scale in order to provide sufficient opportunity for future growth.

| First Quartile of Pay Scale | Second Quartile of Pay Scale (up to midpoint) | Third Quartile of Pay Scale | Fourth Quartile of Pay Scale |
|---|--|--|---------------------------------|
| Individual Meets the Minimum Requirements of the Position. | Individual Exceeds the Minimum Requirements of the Position by Offering Additional Experience, Knowledge or Skill Levels. | Individual is an Expert in All Criteria of the Job, and has Broad Knowledge of Related Areas. | Shall not be offered |

3. A Department Head or designee may request that the starting salary exceed the midpoint of the position if he/she feels that the candidate is an expert in all criteria's of the job. All written requests must be accompanied with justification for the starting pay as well as identifying the source of funding for the proposed adjustment to the Director of Human Resources.
4. The proposed salary information will be forwarded to the County Administrator for approval.

5. Once approval has been obtained, the Director of Human Resources will advise the Department Head or designee of this determination

J. Benefits

1. Only part and full time employees may participate in County benefit programs.
 - a. Full time employees are eligible for all County benefit programs;
 - b. Regular part time employees may be eligible for non-County paid benefit programs if he/she consistently works at least twenty (20) hours per week.
2. Normally the effective date of benefits shall be the first day of the month following the date of eligibility. The effective date of benefits may be different based on the situation. For example, a new hire's benefits shall begin the first day of the month following the date of hire but the effective date of enrolling a newborn shall be the day the child is born.
3. Employees may make changes to the benefits listed below during open enrollment or if a family status change occurs within the year.
 - a. Employees have 30 calendar days from the date of the family status change to contact HR to make changes to their benefit(s).
 - b. Other benefit(s) not listed below may be changed at anytime throughout the year

| | |
|--------------------------------------|--|
| <i>Medical Insurance</i> | <i>Dental Insurance</i> |
| <i>Voluntary Insurance</i> | <i>Flexible Spending Accounts</i> |
| <i>Health Savings Account</i> | |

4. Normally benefits will cancel on the last day of the month following the change/separation.
5. Employees who retire through the Virginia Retirement System (VRS) and who have at least five (5) years of continuous service with the County are eligible to remain on the County's health insurance plan until such time that he/she becomes Medicare eligible (age 65).
 - a. An employee who retires through VRS due to a line of duty injury is eligible to remain on the County's health insurance until Medicare eligible regardless of his/her tenure with the County.

K. Nepotism

1. No employee shall hire, supervisor, or otherwise have control or influence over work activities or salary matters for a person with whom he or she has a significant personal relationship. For purposes of the Personnel Management Plan, "significant personal relationship" is defined as a parent, child, spouse, sibling, co-habiting and/or sexual partner, or anyone else whom the employee dates, or with whom the employee has a romantic relationship.

L. Recordkeeping

1. All records related to the recruitment and selection process of a position shall be maintained confidentially in the Human Resources Department for a period of one (1) year from the date the position is filled.
2. Applicants shall have access to documents related to the recruitment and selection process if the information does not identify other candidates.

M. Release of Information

1. The County of Culpeper shall release information pertaining to only dates of service, position held, and final or current salary for persons who are currently or no longer employed with the County.
2. Additional information may be released as authorized by the employee on the appropriate form or

as indicated on the Interagency Employee Departure Information Form.

I. POLICY STATEMENT

The Board of Supervisors has long recognized that it can best accomplish its goals and objectives with employees that are paid fairly and treated appropriately. The Board finds that the matters described herein are important and shall be used as guidelines for the ongoing administration of Culpeper County's Unified Pay and Classification System. However, the Board reserves the right to eliminate or amend these guidelines in whole, or in part, if it deems it in the County's best interest to do so. Further, the Board of Supervisors has the right to appropriate money consistent with its overall responsibility to appropriate funds for the Unified Pay and Classification System. **Nothing contained herein may be considered a contract between Culpeper County and any of its employees for any specific or general period of time.**

II. BACKGROUND

In 1998, the County underwent a comprehensive pay and classification study, including an extensive position evaluation process, performed by an outside consultant, assisted by County Staff. The positions were then assigned to grades containing salary ranges expressed in terms of minimum, midpoint and maximum salaries. This type of salary plan is called an "open range" plan.

As part of this process, position descriptions were created. These descriptions are revised as necessary. These descriptions are regularly reviewed to be inclusive of new position duties, as well as to determine if compensable position factors have changed sufficiently to warrant a reclassification of the positions.

Also during this process, the Board and the Constitutional Officers agreed that the employees of said Officers would participate equally in the Unified Pay and Classification System. The minutes, the resolution, and the conditions of the understanding are attached as "Exhibit A", the employees of Constitutional Officers came under the UPCS plan guidelines as delineated herein.

In 2003, the County contracted with another outside consultant to perform a market wage study for the purpose of determining whether the salary ranges remained competitive with comparable jurisdictions. This study resulted in reclassifications of many positions into a salary structure which more accurately reflects the external market, and base line the salary index. In FY2006, the updated salary structure was adopted and individual employees began the adjustments to midpoint for their grades.

I. Purpose

The Unified Pay and Classification System (UPCS) categorizes or groups each position based upon the knowledge, skills and abilities found in the position description. These positions are then assigned to grades containing salary ranges. The UPCS is intended to serve as an aid in recruitment, selection, budgeting, and wage/salary administration.

II. Scope

This policy applies to all employees

III. Procedures**A. Development of Position Descriptions**

1. A Department Head or Constitutional must complete a Position Analysis Questionnaire (PAQ). The Department Head or Constitutional Officer will meet with the Human Resources Director, to review the PAQ for completeness and internal consistency.
2. The Director of Human Resources will ensure that the information contained on the PAQ becomes a Position Description.
3. Once a Position Description is prepared, a grade assignment will be recommended, and the package will be forwarded to the County Administrator.
4. Once the County Administrator has reviewed the package, he will forward it to the Personnel Committee of the Board of Supervisors for approval.
5. Once approval has been obtained from the Personnel Committee, the Director of Human Resources will provide a copy of the position description to the Department Head or Constitutional Officer, along with the proper grade and position number information.
6. The Director of Human Resources will ensure that a copy of the Position Description is retained in the Human Resources Department.

B. Amending a Current Position Description

1. The Department Head or Constitutional Officer will meet with the Director of Human Resources and verify that the current Position Description does or does not reflect the positions' essential functions and responsibilities.
2. If determined that the essential functions of the position have changed significantly in type or degree, then the revised Position Description must go through the same process as a new position.
3. If determined that the essential functions of the position have not changed significantly in type or degree, then the Director of Human Resources will ensure that the Position Description is amended to accurately reflect the position's essential functions and responsibilities.
4. The Director of Human Resources will provide a copy of the Position Description to the Department Head or Constitutional Officer, and will ensure that a copy of the position description is retained in the Human Resources Department.

C. Reclassification

1. If determined that the essential functions of the position have not significantly changed in type or degree, and the position description has been updated using the guidelines described in

Amending a Current Position Description, a Department Head or Constitutional Officer may request that a position be reviewed to determine the appropriateness of the present grade.

2. All requests must be accompanied by the amended Position Description as well as a memorandum to the Director of Human Resources containing complete justification for the proposed reclassification, and a list of additional duties that has been assigned to the position.
3. Upon completion of a review of the request and accompanying justification, a grade assignment will be recommended by the Director of Human Resources, and the package will be forwarded to the County Administrator for subsequent approval by the Personnel Committee.
4. Once approval has been obtained, the Director of Human Resources will advise the Department Head or Constitutional Officer of this determination.

D. Salary Structure

In order to maintain competitiveness of Culpeper County's salary grades, the salary structure will be adjusted annually to reflect labor market movement. Culpeper County shall:

1. Use an open range pay plan, which has a series of thirteen (13) total grades, and a structure consisting of minimum, midpoint and maximum salary figures that reflects the labor market at the time of the market survey, with market rate being defined as the grade midpoint.
2. Increase the salary structure by a percentage figure each year that will be applied to the grade midpoint to reflect the Base Index Adjustment (BIA) adjustment. The referenced percentage shall be the rolling 36 month average of the Consumer Price Index (CPI), as of the month of December in each year.
3. Every fifth year, the Director of Human Resources will conduct a market based salary study to evaluate the link between the County's structure and the labor market data.

It is important to note that adjustments in salary grade values do not necessarily imply or guarantee changes to base pay and are always subject to budgetary constraints and Board of Supervisors' appropriations.

POLICY STATEMENT

The Board of Supervisors is committed to the goals and objectives of the Unified Pay and Classification System (UPCS) as described in Section III of the Personnel Management Plan. As part of this system a Pay for Performance Plan was implemented to set performance requirements for all positions, to ensure that each employee is aware of the performance requirements for his or her position, and to facilitate the formal evaluation of each employee's performance at least annually.

The Board intends this Policy to guide the ongoing administration of Culpeper County's Unified Pay and Classification System and the Pay for Performance Plan. However, the Board reserves the right to eliminate or amend these guidelines, in whole or in part, if it deems it **is** in the County's best interest to do so. Further, it must be noted that all expenditures of County funds, including salary expenditures, are subject to monetary appropriation by the Board of Supervisors. Accordingly, a change in appropriation may result in the reduction or elimination of the Board's appropriation called for under the Unified Pay and Classification System. **Nothing contained herein may be considered a contract between Culpeper County and any of its employees for any specific or general period of time.**

III. BACKGROUND

In 2005 a team of representatives from County departments, and Constitutional Officers called the Comprehensive Planning Team (CPT) met to discuss methodologies for rewarding quality performance. The CPT's recommended plan included three components: (1) a base index adjustment similar to a cost of living adjustment for employees who meet the standards of the position and to the pay scale; (2) additional increases based upon superior performance on the part of the employee; and (3) one time "QuILS Awards" for Quality, Innovation, Leadership and Savings. The team also recommended revising the performance evaluation form, modifying the timing of evaluation to be covered with employee, and enhancing department/participant training.

These recommendations were implemented and described in detail herein.

I. Purpose

Pay for Performance evaluates employees' on an annual basis for hours the employee performs the requirements of the position, and salary increases are based upon performance levels as listed in the evaluation form. This plan ensures that each employee is fully informed of County expectations regarding the performance of his/her position, and motivated to perform at the highest possible level, and encouraged to set personal goals for professional development and performance improvement.

II. Scope

This policy applies to all employees

III. Procedures**A. Evaluation & Standards of Performance**

1. Although coaching and counseling of employees concerning position performance should occur throughout the year, formal written performance evaluations must be conducted at times listed in this section.
2. It is the Department Head's or Constitutional Officer's responsibility to ensure each employee is aware of performance standards and expectations and to apply objective performance requirements in supervising and evaluating employee performance.
3. All recommendations for performance improvement must be based on a clear description of duties to be performed consistent with the position description. For this reason, each Department Head or Constitutional Officer should periodically review and recommend changes to position descriptions for each position in the department.

B. Performance Evaluations

1. All formal, written evaluations shall include an employee progress report, an evaluation, and documentation pages to support performance scores, and to list recommendation/goals for the upcoming year.
2. All employees shall be evaluated based on the following schedule:
 - a. In February of every year, non-probationary or regular employees shall be formally evaluated on performance that was exhibited January – December of the previous year.
 - b. Probationary employees shall be formally evaluated no later than two weeks before the end of the probationary period.
3. An employee is eligible to receive a total weighted score of 0-5. The score indicates whether an individual's performance is unacceptable, needs improvement, proficient, very proficient or exceptional.
4. Generally, a probationary employee, or an employee who has only had enough time to become acclimated to the duties of the position, is expected to be proficient, or fully meeting the standards of the position
 - a. Any evaluation for a probationary employee that indicates a score that would grant more than a BIA salary increase must be approved by the County Administrator or designee.
5. All evaluations with a rating in excess of 4.5 must be approved by the Personnel Committee in order to receive a BIA + 3% pay increase.
 - a. Only performance evaluations that portray that the employee has clearly exceeded all the requirements of the position, and demonstrates sustained performance at the highest possible level over the entire course of the assessment period shall be approved.

6. Each completed performance evaluation must be reviewed for consistency with evaluation standards by the Department of Human Resources or Personnel Committee **before** being discussed with the employee.
7. After completion and Human Resources' review of the evaluation form, the Department Head or Constitutional Officer shall show it to and discuss it with the employee.
8. A copy of the completed evaluation form shall be given to the employee, and an additional copy shall be sent to the Human Resources Department for permanent retention in the employee's personnel file.

C. Unsatisfactory Performance Evaluations

1. Employees whose overall ratings do not reach 2.5 are not performing up to standards for their positions, and will not be eligible for a pay increase.
2. Such employee shall be placed on a performance improvement plan. The plan shall be in writing and shall state the objectionable behavior, strategy for improving performance, and outline expectations in behavior to obtain a performance rating that would qualify the employee for a salary increase.
3. Such employee will then be evaluated no later than two weeks before the end specific timeframe listed on the performance improvement plan
4. If the performance has sufficiently improved, the employee may be retained, and without salary adjustment.
5. If the performance has not improved, further steps may be taken as outlined on the performance improvement plan.

D. Salary Increases

1. Salary increases are granted in July of each year, if funding is available, and are based upon overall performance levels as documented in the performance evaluation.
2. An employee who fully meets acceptable standards of the position as indicated on the performance evaluation will receive a Base Index Adjustment, (BIA) increase. An employee may be eligible for an additional one, two or three percent pay increase depending upon the overall score of the performance evaluation.
 - a. An employee who is less than proficient will not receive a salary increase
3. Salary increases are calculated by applying the BIA to the grade midpoint of the salary range.
 - a. The BIA is a percentage based upon a rolling 36 month average of the Consumer Price Index (CPI), as of the month of December in each year.
9. Any percentage increases due to exceeding the standards set for fully successful work performance will be calculated once the BIA increase has been added to the employee's gross salary.
4. Individuals, who are hired, promoted, demoted or transferred between July 1st and December 31st of any given fiscal year, will receive a BIA increase during the annual evaluation period. Individuals who are hired, promoted, demoted or transferred between January 1st and June 30th of any given fiscal year, will not receive the increase scheduled in July, but will receive it, if they are

fully meeting the standards of the position, upon the completion of the six (6) month performance evaluation.

5. Constitutional Officers will normally receive the BIA increase as applied to their current salary. If the State Compensation Board, which normally allows for raises in November of each year, should provide for a COLA higher than the BIA the County has chosen based on the rolling 36 month average of the Consumer Price Index (CPI), and applied to the Constitutional Officers' salaries in July, then the difference of the COLA and BIA increases would be applied to the Constitutional Officers salary in the December payroll.
6. Constitutional Officers may also, from time to time, receive from the State Compensation Board ("SCB"), raises due to certifications because of achievements within their category. These raises are normally calculated as follows, the total reimbursement the County will receive from the SCB for the salary plus the benefits on that salary increase at the rate of reimbursement for those benefits (ie. FICA, VRS, GLI). Then the total reimbursement amount (salary and benefits) is compared to the salary increase at the rate of benefits paid by the County. The Constitutional Officer's salary is adjusted so there is no loss by the County for the salary increase including benefits. These raises from the SCB increases would be applied to the Constitutional Officers salary in the December payroll.

E. Quality, Innovation, Leadership, Savings (QuILS) Awards

1. Employees may be nominated in February of each year to receive a one-time QuILS Award for quality, innovation, leadership and savings. The award is not to exceed 10% of the employee's salary.
2. All nominations must state why the individual should receive such an award, and the savings achieved by such accomplishment, project or performance.
3. Nominations for QUILS must be approved by the Personnel Committee, and the Board of Supervisors.

I. Purpose

It is the County's objective to compensate employees in a fair and reasonable manner, and in accordance with all federal and state requirements.

II. Scope

This policy applies to all employees

III. Procedures**A. Pay**

1. Employees are paid on a monthly basis with pay day being assigned as the 30th of each month, or the Friday before if the 30th falls on a weekend or a County designated holiday.
2. Timesheets shall be submitted by not later than the indicated due date listed on the control sheet for payroll processing. Pay processing and pay for time worked may be delayed for at least one (1) month for any employee who fails to timely submit a timesheet.
3. An employee hired before January 1, 2010 may be paid by check or direct deposit.
4. An employee hired on or after January 1, 2010 shall be paid by direct deposit. In the event that an employee does not elect direct deposit within two (2) months from the date of hire he/she shall be paid by credit to a prepaid debit card or card account at a financial institution.
5. All employees shall access their pay information (wages, deductions, etc) through the County's ESTUB system. Only employees hired before January 1, 2010 may opt to continue to receive a paper stub.

B. Work Hours

1. The standard work week for all full time employees, excluding sworn law enforcement, emergency services, and dispatch personnel, is forty (40) hours, Monday thru Sunday. Individual employee schedules may vary as determined by the Department Head or Constitutional Officer.
2. The standard work week for all sworn law enforcement and emergency services personnel shall be 28 consecutive calendar days, with the number of hours worked varying depending upon shift schedules as determined by the Department Head.
3. The standard work week for dispatch personnel is Sunday thru Saturday with alternating weekly schedules between 36 hours per week and 48 hours per week. Shift schedules and individual employee schedules shall be determined by the Department Head.

C. Alternative Work Schedule/Location - Flex Time & Telecommuting

1. Department Heads or designee may approve alternative schedules for eligible employees within their departments to meet operational and customer needs, and to help employees balance their career and family lives.
 - a. Flexible work schedules (flex time) - work hours that are not identical to the department's normal operating hours or the designated schedule for the position. Examples of flex time may include varying start and end times, compressed work week, etc.
 - b. Telecommuting – opportunity to work at home or at an alternate work site on a specified day, or days, and/or for specified hours
2. Employees may request an alternative work schedule/location on the appropriate form to be reviewed by the Department Head or designee. The alternative arrangement may be temporary

or permanent.

3. Department Head or designee should consider alternative requests on a case-by-case basis. While it is not required that alternative work schedules/locations be uniformly available to all positions within a department, the Department head or designee is responsible for ensuring fair and equitable administration of this policy to all eligible employees.
4. The approval of alternative work schedules/locations are at the discretion of the Department Head or designee. When reviewing and approving requests, the following circumstances should be considered:
 - a. Employee's past and present performance;
 - b. Essential functions of the position;
 - c. Customer interaction with the position;
 - d. Minimum , on-site, departmental staffing levels;
 - e. Effect on departmental and/or organizational productivity.
5. Employees shall not be eligible to work an alternative work schedule/location:
 - a. When high levels of performance and productivity are not demonstrated regularly;
 - b. During the six month probationary period.
 - c. Within the first six months following the date of a change in status such as a transfer, demotion, or promotion.
6. Employees who are granted an alternative work schedule/location will be held to the same terms of employment as all other employees and will be required to:
 - a. Perform the essential functions of the position;
 - b. Maintain performance and productivity levels;
 - c. Keep accurate account of work hours, and utilize leave as needed;
 - d. Act in a professional manner at all times while performing duties, adhere to the Standards of Conduct as outlined in the Section VIII of this policy manual, regardless of work location and hours;
 - e. Maintain a safe work area;
 - f. Engage in only governmental activities while in official duty status. This includes such pursuits as child care, elder care or the conduct of personal business;
 - g. Adhere to all other policies outlined in the Personnel Management plan and departmental policies if applicable.
7. Alternative work schedule/location shall not:
 - a. Result in an employee working less than his or her prescribed hours within a pay period;
 - b. Cause or contribute to the need for additional staff or for existing staff to work overtime hours;
 - c. Change the department's regular operating hours, or diminish a Department Head or designee's authority to create, or adjust work schedules/locations;
8. An employee with a telecommuting work arrangement:
 - a. May be required to supply, maintain, repair, replace, transport, install, and secure equipment such as computer, printer, etc. needed to perform duties at the alternate work location;
 - b. May be liable for damages to County-provided equipment caused by improper use, damage, theft or unauthorized use;
 - c. Shall be responsible for operating costs, home maintenance, and any other incidental costs, (e.g. utilities) associated with the use of the alternate work location;

- d. Shall not conduct third-party business meetings at the alternate work location;
 - e. Shall receive Department head or designee approval before removing sensitive or confidential records/information from County offices;
 - f. Upon reasonable notice shall permit County representatives, if needed, to inspect the alternate work location (1) after any on the job accident or injury has been reported, and (2) to ensure compliance with the County's Safe and Healthful Workplace Policy
9. An employee is covered by workers' compensation for injuries arising out of and in the course of performing official duties while at the alternate work location and the injury/condition sustained has met the definition of a compensable claim under the Workers Compensation Act. The employee shall immediately notify the Department head or designee of any accident or injury that occurs at the alternate work location.
10. The employee agrees to defend, indemnify and hold harmless the County, and its employees from and against all claims, demands or liability resulting from or arising in connection with any injury to persons or damage to property, caused directly or indirectly, by the services provided by the employee or by the employee's willful misconduct or negligent acts or omissions in the performance of official duties and obligations, except where such claims, demands or liability arise solely from the gross negligence or willful misconduct of the County
 - a. The County is not liable for damage to an employee's personal or real property while the employee is working at an alternate work location;
 - b. The employee shall be liable for injuries to third persons on the employee's premises.
 - c. Homeowner policies normally do not automatically cover injuries or property damage arising out of, or relating to the business use of the home. For the employee's protection, employees should have their homeowners/tenants liability policy endorsed to cover property damage and bodily injury to third parties arising out of or relating to the business use of their home.
11. Department Heads or designee may discontinue, temporarily suspend, and/or modify alternate work schedules if operational needs change, service is impaired, or the employee's performance declines.

D. Overtime

Non-exempt employees shall be compensated for overtime in accordance with the following provisions:

1. Non-exempt employees, excluding sworn law enforcement, emergency services, and dispatch personnel, shall be compensated at one and one-half times their regular rate of pay for all hours worked in excess of 40 hours during the work week. Pursuant to their understanding with the County, employees may accrue limited compensatory time in lieu of overtime pay. Compensatory (comp) time shall be paid out in accordance with Section XII of the Personnel Management Plan.
2. Non-exempt emergency services personnel:
 - a. Shall earn straight time at their hourly rate of pay for hours worked in excess of their scheduled work hours wherein the hours worked are more than 151 hours but less than 213 hours in a 28 day work period.
 - b. Shall be compensated at one and one-half times their regular rate of pay for all hours worked in excess of 212 hours during the 28 day work period.
3. Non-exempt dispatch personnel (36 hour / 48 hour weekly schedule):

- a. During a 36 hour normal work week shall receive pay for working 40 hours with no leave reduction, and will be compensated at one and one-half time their regular rate of pay for all hours worked in excess of 40 hours during the work week.
 - b. During a 48 hour normal work week shall be compensated at half their regular rate of pay for the additional 8 hours, and shall be compensated at one and one-half their regular rate of pay for all hours worked in excess of 48 hours during the work week.
4. Non-exempt sworn law enforcement personnel:
 - a. Shall earn straight time at their hourly rate of pay for hours worked in excess of their scheduled work hours wherein the hours actually worked are more than 159 hours but less than 172 hours in a 28 day work period.
 - b. Shall be compensated at one and one-half times their regular rate of pay for all hours worked in excess of 171 hours during the 28 day work period.
5. Overtime work must be approved in advance and in writing, except in an emergency, prior to being performed.
6. *Exempt employees are not entitled to overtime or compensatory leave under the provisions of the Fair Labor Standards Act*

E. Holiday Pay

Culpeper County closes its offices in observance of holidays as directed by the Board of Supervisors. Holidays generally include:

- | | |
|--------------------------|--------------------|
| ▪ New Year's Day | ▪ Labor Day |
| ▪ Lee-Jackson Day | ▪ Columbus Day |
| ▪ Martin Luther King Day | ▪ Veteran's Day |
| ▪ President's Day | ▪ Thanksgiving Day |
| ▪ Memorial Day | ▪ Christmas Day |
| ▪ Independence Day | |

In observance of a holiday, employees are compensated in accordance with the following provisions:

1. All non-essential full time employees do not report to work, but receive compensation based on their regular salaries as if they reported to work as usual. Non-exempt full time employees who are required to work or are defined as essential shall be compensated as follows:
 - a. Shall receive regular hourly pay for all hours actually worked on the holiday and hours will be included in the calculation of any overtime for the work week.
 - b. Shall receive a holiday benefit up to 8 hours at the regular hourly rate to either take as time off within a reasonable time frame or straight time pay in the event the time off cannot be scheduled. The County defines a reasonable time to be no more than 60 days from the date that holiday benefit is earned.
2. In the event that a holiday falls on a non-exempt full time employee's regular scheduled day off, the employee shall accrue an 8 hour holiday benefit.
3. All non-essential part time employees do not report to work and do not receive compensation for any closing in observance of a holiday. Non-exempt part time employees required to work on a

holiday or defined as essential shall be compensated as follows:

- a. Shall receive one and one half their regular hourly rate for all hours actually worked on the holiday, and hours will be included in the calculation of any overtime for the work week.

Holidays falling on Saturdays and Sundays may be observed, i.e., the buildings closed, on Fridays and Mondays, respectively at the direction of the Board of Supervisors.

F. Inclement Weather Pay

During an authorized closing determined by the County Administrator, employees are compensated in accordance with the following provisions:

1. All non-essential full time employees do not report to work, but shall receive compensation as if they reported to work as usual. No additional compensation will be granted to employees who do report to work and perform their regular duties. Non-exempt full time employees who are required to work or are defined as essential shall be compensated as follows:
 - a. Shall receive regular hourly pay for all hours actually worked that fall within the authorized closing and hours will be included in the calculation of any overtime for the work week.
 - b. Shall receive a weather benefit up to 8 hours at the regular hourly rate for the portion of the shift that falls within the authorized closing.
2. All non-essential part time employees do not report to work, and do not receive compensation for any closing due to inclement weather. Non-exempt part time employees who are required to work or are defined as essential shall be compensated as follows:
 - a. Shall receive one and one half their regularly hourly rate for all hours actually worked that fall within the authorized closing and hours will be included in the calculation of overtime for the work week.
3. Employees who are on *pre-approved leave as defined herein* when an authorized closing is announced shall have the hours within the authorized closing credited to the weather event, and not to annual leave balances. Any leave approved that falls outside the authorizing closing shall be credited to annual leave as previously arranged.
4. Employees who are unable to report work when the County is running on a normal schedule may utilize leave or leave without pay.

If an essential employee does not work the authorized closing, and is not on pre-approved leave may be subject to disciplinary action, as outlined in the Section VIII.

G. On-call

1. On call time is defined as the time that an employee is required to remain on call on the employer's premises or so close thereto that he cannot use the time effectively for his own purposes. An employee who is not required to remain on the employer's premises but is merely required to leave word at his home or with company officials where he may be reached is **not** on call.
2. All on call situations will be handled on a case by case basis. Factors that will be considered to determine if on call is compensable are:
 - Whether there are *excessive* geographical restrictions on the employee's movements;
 - Whether the frequency of calls *unduly* restricts the employee's movements;

- Whether a fixed time limit for response is *unduly* restrictive;
 - Whether the on-call employee can easily trade on call responsibilities;
 - Whether using a pager eases restrictions on the employee's activities, and;
 - Whether the employee has actually engaged in personal activities during on call time.
3. In the event that on call time is considered compensable under the most current legislative standards, he/she shall be compensated as follows:
- a. All non-exempt full time eligible employees shall receive two (2) hours of compensatory time at the straight time rate for each day on call.
 - b. All non-exempt part time eligible employees shall receive two (2) hours of pay at the straight time rate.
 - c. Employees who are required to report to work will be compensated in accordance with the Fair Labor Standards Act (FLSA).



County of Culpeper Alternative Work Schedule/Location Request

Name: _____ Date of Request: _____

Department: _____ Job Title: _____

☐ New Request

☐ Cancellation

☐ Change

Requested Start Date: _____

Requested End Date: _____

Requested Work Schedule/Location: (please complete all applicable sections)

1. Current workplace: _____

2. Current work schedule: _____

3. Requested alternate location: _____

Describe in detail the designated work area at the alternate work location: _____

4. Requested Work Schedule/Location:

| | Work Location (if applicable) | Starting Time | Meal/Other Break | Ending Time | Total Work Hours |
|--------------------|----------------------------------|---------------|---------------------|-------------|---------------------|
| Monday | | | | | |
| Tuesday | | | | | |
| Wednesday | | | | | |
| Thursday | | | | | |
| Friday | | | | | |
| Saturday | | | | | |
| Sunday | | | | | |
| Total Weekly Hours | | | | | |

Benefits of proposed alternate work schedule/location:

Potential problems/suggested solutions of proposed alternate work schedule/location:

Certification:

1. I understand that I am normally expected to work between the hours selected and/or at the location(s) selected, and that I must maintain a high level of performance and productivity.
2. I agree to limit performance of officially assigned duties within the hours and/or location(s) selected. Failure to comply with this provision may result in a loss of pay, termination of alternate work schedule/location agreement, and/or appropriate disciplinary action.

3. I understand that I may not work unauthorized overtime unless in emergency situations. By signing the form, I agree that failing to obtain proper approval for overtime may result in removal from alternate work schedule/location, and/or appropriate action.
4. I understand that I must keep accurate records of work hours and leave used, and must continue to obtain approval of leave requests in accordance with the Personnel Management Plan.
5. I understand that my Department Head or designee has the authority to discontinue, temporarily suspend, and/or modify this schedule at any time.
6. I have received a copy, read, understand, and am in agreement with the Alternate Work Schedule/Location Policy.

Telecommuting Work Request:

1. I agree to protect County borrowed agency equipment and understand that I may be financially liable for any damage caused by improper use of equipment. I understand that the County shall not be liable for any damages caused to non-County, or personal equipment.
2. All County borrowed equipment shall be serviced and maintained by the County at its offices, and I am responsible for servicing and maintaining personal, non-County equipment.
3. I have read the County's Safe & Healthful Workplace Safety Policy, and certify that the alternate work location is safe and free from hazards.
4. I agree to bring to the immediate attention of my Department Head or designee any accident or injury caused to or by the employee occurring at the alternate work location while performing the official duties of my position.
5. I understand that I am liable for injuries to third persons that occur at the alternate work location.
6. I have completed the Safety Checklist form and returned it to my Department Head or designee before the commencement of telecommuting.

Employee Signature: _____ Date: _____

☐ Approved as requested
reason)

☐ Approved with modification

☐ Disapproved (state

Comments: _____

Department Head or Designee: _____ Date: _____

County issued equipment:

| Equipment (include model/make and asset tag numbers) | Value of equipment | Date Issued | Expected Return Date | Actual Return Date |
|---|-----------------------|-------------|-------------------------|-----------------------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

Notes:

Employee: _____ Date: _____

Department Head or Designee: _____ Date: _____

Safety Checklist (EMPLOYEE CHECKLIST AND CERTIFICATION FORM)

EMPLOYEE NAME: _____
DEPARTMENT/AGENCY: _____
SUPERVISOR NAME: _____
ADDRESS: _____
TELEPHONE: _____

The following checklist is designed to assess the overall safety of the alternate work location. Each participant should read and complete the self-certification safety checklist. Upon completion, the checklist should be returned to the Department head or designee, and a copy provided to the Department of Risk Management.

The alternate work location is located (check one):
☐ in home
☐ not in home

Describe the designated work area:

To the best of one's knowledge:

- | | | | |
|-----|---|---------|--------|
| 1. | Is the space free of slip/trip/fall hazards? | ___ YES | ___ NO |
| 2. | Are all stairs with four or more steps equipped with handrails? | ___ YES | ___ NO |
| 3. | Is all electrical equipment free of recognized hazards that would cause physical harm (frayed wires, bare conductors, loose wires, flexible wires running through walls)? | ___ YES | ___ NO |
| 4. | Will the building's electrical system permit the grounding of electrical equipment? Including surge protection for electronic equipment. | ___ YES | ___ NO |
| 5. | Are aisles, doorways, and corners free of obstructions to permit visibility and movement? | ___ YES | ___ NO |
| 6. | Are file cabinets and storage closets arranged so drawers and doors do not open into walkways? | ___ YES | ___ NO |
| 7. | Do chairs have any loose casters (wheels)? Are the rungs and legs of chairs sturdy? | ___ YES | ___ NO |
| 8. | Are the phone lines, electrical cords, and extension wires secured under a desk or alongside a baseboard? | ___ YES | ___ NO |
| 9. | Is the office space neat, clean and free of excessive amounts of combustibles? | ___ YES | ___ NO |
| 10. | Are floor surfaces kept clean, dry, level, and free of worn or frayed seams? | ___ YES | ___ NO |
| 11. | Is your office chair ergonomically correct and have adjustable height, armrest and seat? | ___ YES | ___ NO |

Employee Signature

Date

Acknowledgement of Receipt:

Supervisor or Designated Agency Representative

Date

Risk Management Review/Comments/Corrective Action _____

**COUNTY OF CULPEPER
- SAFE & HEALTHFUL WORKPLACESAFETY
POLICY
BOARD RESOLUTION & POLICY
STATEMENT
RESOLUTION OF THE BOARD OF SUPERVISORS
FOR THE COUNTY OF CULPEPER
FOR A
SAFE AND HEALTHFUL WORK PLACE**

WHEREAS, the Occupational Safety and Health Act of 1970 requires employers to provide a safe place to work, a place free from hazards that might cause injury, disability or even death;
and

WHEREAS, the personal safety of our employees, as well as the general public, is a primary
and continuing concern of Culpeper County; and

WHEREAS, it is the policy of County of Culpeper, that every employee is entitled to work
under the safest conditions possible. Every reasonable effort will be made to promote
accident prevention for protection and health preservation to the employees and general
public; and

WHEREAS, it is our belief that accidents that injure people, damage equipment or property,
or destroy materials cause needless personal suffering, inconvenience and expense.

We believe that taking common sense precautions can prevent practically all accidents; now
therefore, be it

RESOLVED, that the County of Culpeper, through its employees, will endeavor to maintain a
safe and healthful work place; and

BE IF FURTHER RESOLVED, that the County of Culpeper will provide a safe and healthy
environment for all County employees, contractor employees, visitors, clients, customers, and
the public.

ATTEST:

:-z~~ Frank T. Bossio

Clerk to the Board

BOARD OF SUPERVISORS

FOR THE COUNTY OF CULPEPER

~~,-

Board of Supervisors

AS TO FORM:

**COUNTY OF CULPEPER
SAFE AND HEALTHFUL WORKPLACE
SAFETY POLICY STATEMENT**

The personal safety and welfare of our employees, as well as the general public, is a primary and continuing concern of Culpeper County.

It is our goal to provide every employee a place of employment free from recognized hazards which are a potential cause for serious physical harm or health impairment.

Occupational Safety and Health Act of 1970 requires employers to provide a safe place to work, a place free from hazards that might cause injury, disability or even death.

It is the policy of Culpeper County that every employee is entitled to work under the safest conditions possible. To this end, every reasonable effort will be made to promote accident prevention for protection and health preservation.

It is our belief that accidents which injure people, damage equipment or property, or destroy materials cause needless personal suffering, inconvenience and expense. We believe that practically all accidents can be prevented by taking common sense precautions.

Culpeper County, through its appointed constitutional officers, department heads, and managers, will endeavor to maintain a safe and healthful work place.

Safe operations in all activities are a condition of any individual's employment with Culpeper County. No activity is so important that it cannot be performed in a safe manner. Employees will advise management about inherently unsafe work without fear of retaliation or intimidation.

Management will work with employees to ensure they have the proper training and equipment to perform work in a safe manner. Culpeper County contracts will include provisions that require work to be performed in a safe manner.

Culpeper County employees will comply with Culpeper County policies and all applicable laws, standards, and regulations at the State and Federal level.

Due to the large number of activities in progress at one time, the varied nature of the work and the widespread location of such activities, we must "formalize" our safety program, utilizing written reports and records, to achieve the maximum use and effectiveness of loss control information.

The Department of Risk Management will head the County loss control and safety program and will communicate pertinent information to all departments. The Risk Management Department will undertake such duties as may be required in the day-to-day operation of the safety program. Department Directors are responsible for integrating safety performance and adherence to this policy into departmental objectives, goals, and performance evaluations.

We believe that accidents are avoidable and can be prevented. In order to achieve a safe working environment all members of this organization must be committed to safety through good attitudes and involvement.

Safety and loss control is a tremendous responsibility and one that must be shared by all.

Everyone is responsible for Safety!

I. Purpose

The purpose of the Service Awards Program is:

- to commend faithful service performed by County employees;
- to emphasize that each individual plays a key role in the County's progress;
- to recognize that an employee's contribution grows with each additional year of service;
- to encourage career employment with the County.

II. Scope

This policy applies to all employees.

III. Procedures**A. Administration**

1. Service awards shall be granted to regular full time and part time employees for 5, 10, 15, 20, 25, 30, or 35 years of service.
2. All awards shall be presented on or about February of every year, and will recognize service achieved in the previous year.

B. Service Credit

1. Each employee shall accrue one (1) month of service for each month worked to be computed on an annual basis.
2. Service credit shall be granted for authorized paid or unpaid leave of absences to include, but is not limited to;
 - a. military leave;
 - b. sick leave;
 - c. vacation leave;
 - d. workers compensation leave;
 - e. and FMLA.
3. Any break in employment for a period of thirty-one (31) or more consecutive calendar days shall destroy the continuity of service.
4. An employee who is reinstated as a result of a grievance shall not have a break in service.

C. Funding

1. Service Awards are subject to monetary appropriation, and a change in appropriation may result in a reduction or elimination of this benefit.

I. Purpose

The County of Culpeper supports and funds continuous job related skills training and lifelong learning for personal development in order to assist employees in providing the highest level of customer service possible.

II. Scope

This policy applies to all employees

III. Procedures**A. Types**

1. Job related training and development shall be separated into two categories:
 - a. Training and professional development – training needs which are identified as a means of an employee being enabled to improve their performance, their development as a professional within the organization, or as a means of retaining and developing key skills.
 - b. Personal development – a course of study which an individual undertakes, normally in their own time, which may improve their academic qualification or give them additional skills and/or improve their future employment prospects.

B. Job Related Training and Professional Development

1. All opportunities shall be made available in an equitable manner without regard to race, color, religion, national origin, disability, age, or gender.
2. Job related training and professional development maybe in the form of on-the-job training, in house training provided at the organizational or departmental level, workshops, seminars, conferences, etc.
3. All job related training and professional development must be directly related to the employee's job.
4. All training and development shall be approved by the Department Head or designee.
5. At a minimum, employees shall be provided on-the-job training, and work-related instruction that assists employees to perform their current jobs (includes new hire orientation, instruction necessary to accommodate technological changes, etc.)
6. Other training and development may be identified by the Department Head, or designee or the employee at the recruitment stage, during the performance appraisal process, or during the course of employment.
7. Training that is mandated by the department/organization, and is not required for a license/certification shall be paid by the County. The time that an employee spends at such training during normal work hours shall be considered time worked and paid in accordance with the Fair Labor Standards Act (FLSA).
8. Under the FLSA, the County is not obligated to pay for any expenses related to training and development to maintain a license/certification that is required by law in order to perform a specific job; however, a department may pay for such training if funding is available.

C. Personal Development

1. Personal development needs will be identified by the employee and it shall be the responsibility of the employee to notify the Department Head or designee of anticipated expenses.
2. The County may contribute to an employee's personal development by contributing to the cost and/or essential materials required for the course.
 - a. The employee will be responsible for paying for all expenses related to the course until completion of the course
 - b. An employee shall only qualify for reimbursement if:
 - i. the employee achieves a satisfactory rating or a minimum grade C and
 - ii. Receipts for course expenses are submitted to the Department Head or designee.
3. All personal development must be directly related to the employee's job and must be approved by the Department Head or designee.
4. Employees who participate and receive reimbursement for personal development shall be required to sign a contract in which the employee agrees to continue employment with the County for a period of 30 days per academic credit hour or unit earned. In the event that the employee resigns or is terminated for cause, the employee will be required to reimburse the County for some or all of the money he/she received for personal development.

D. Recordkeeping

1. A copy of all training and development courses completed by the employee shall be kept in the employee's personnel file unless otherwise required by law.

Training and Development are subject to available funding and monetary appropriation. A change in appropriation or a reduction in funding may result in a reduction or elimination of the program(s).

PERSONAL DEVELOPMENT CONTRACT

THIS AGREEMENT, dated this ____ day of _____, _____, by and between the COUNTY OF CULPEPER, VIRGINIA, (hereinafter "Employer") and _____, an employee of the aforementioned Employer, (hereinafter referred to as "Employee"):

WITNESSETH:

THAT in accordance with the terms and conditions herein contained, Employer agrees to reimburse Employee for certain expenses incurred for the course of study identified herein and Employee agrees not to resign from employment for a period of _____ days, said days being equivalent to thirty (30) days per credit hours of the course expenses being reimbursed. The reimbursement and the time agreement are contingent upon the following:

1. Employee will achieve a rating of satisfactory or a letter grade of "C" or higher, in order to qualify for reimbursement of tuition, books and other training aids required by the course of study.
2. All books, training aids, or other course material reimbursed by the Employer become property of Employer. Employee may use them in the course of employment with Employer, but may not remove them from Employer's premises upon the severance of the employment relationship.
3. If Employee breaches this Agreement by resigning prior to the above-mentioned _____ days, Employee will repay to Employer the total amount of the reimbursement. Employer may, at its option, withhold said repayment from Employee's final paycheck. Employee, by signing this Agreement and accepting the reimbursement monies, represents that he or she authorizes said deduction voluntarily and that it has not been made as a condition of continued employment.
4. Employer reserves the right to manage and discipline Employee and may, at its option, terminate the employment relationship with Employee regardless of the terms of this Agreement. Nothing contained herein shall be construed to change the terms of employment from employment at will to employment for a fixed term.

WITNESS the following signatures and seals:

EMPLOYER:
COUNTY OF CULPEPER, VIRGINIA

EMPLOYEE

By _____
Department Head or Designee

Print or Type Name

Signature

I. Purpose

It is the County's objective to promote the well-being of its employees in the workplace and to maintain high standards of professional conduct and work performance. Accordingly, this policy sets forth (1) standards for professional conduct, (2) behavior that is unacceptable, and (3) actions that departments may impose to address behavior and employment problems.

II. Scope

This policy applies to all employees covered under the Personnel Management Plan.

III. Procedures**A. Employment At Will**

1. All County employees are employees-at-will under Virginia law. However, during an employee's first six months of employment, that employee is on probation, and as such has no grievance rights under the Personnel Management Plan.

B. Standards of Conduct

Each employee is responsible for promoting an image of professionalism at all times and is expected to adhere to the following Standards of Conduct:

1. Provide the highest level of customer service possible;
2. Treat individuals, including subordinates, fellow employees and management alike, and those whom they serve, with respect, courtesy, and tact regardless of age, race, color, religion, sex, national origin, marital status, pregnancy, childbirth or related medical conditions, certain veteran status, or retaliation for a claim made under any of the above.
3. Provide satisfactory work performance. Notify Department head or designee of any conditions or circumstances and/or unclear instructions or procedures that prevent satisfactory work performance;
4. Report to work, serve the appropriate time as scheduled, and conduct coming on duty procedures and being released of duty procedures, as required by Department policies;
5. Comply with all rules and regulations prescribed in the Personnel Management Plan;
6. Comply with proper order of a Department head, supervisor or their designees;
7. Give written notice to the Department Head or designee for any employment outside County employment, and obtain prior approval before engaging in any other employment in other agencies, outside of County service, in any private businesses, or in the conduct of professions, when such other employment or work may conflict with the County, the employee's duties for the County, or may put the County in an adverse light in the eyes of the public;
8. Promote safe operations and comply with all appropriate safety and health regulations. Report hazards in order to be corrected;
9. Dress in appropriate attire, uniform, and safety equipment as specified by the department and position;

C. Prohibited Conduct

The following conduct is prohibited. Employees who engage in any of the following may be subject to disciplinary action, up to and including termination:

1. Performing inadequate or unsatisfactory work performance and/or customer service; failure to carry out reasonable assignments;
2. Use of obscene, offensive, abusive or threatening language toward other employees, supervisors, or members of the public;
3. Direct refusal and failure to follow a department head, supervisor, or their designee's direct, legal instructions; refusal to work overtime hours as required, or working unauthorized overtime;
4. Arriving late for work;
5. Absent an emergency, failure to provide two (2) days advance notice before commencement of leave; absence in excess of one day without proper authorization or satisfactory reason. (Any absence in excess of three days without proper notification shall be deemed to have resigned without notice);
6. Using County property for other than officially approved activities such as for outside employment or frequent personal activities;
7. Theft or unauthorized removal of County property, or the property of other persons. Willfully or carelessly damaging or defacing County property or property of other persons (including but not limited to employees, supervisors or members of the public);
8. Falsifying any County statement in verbal or written form. (e.g. employment application, time records, time and attendance records, vehicle accident claims, worker's compensation claims, etc);
9. Supervising or otherwise having control or influence over work activities or salary matters for person with whom employee has a significant personal relationship. For purposes of the Personnel Management Plan, "significant personal relationship" is defined as a parent, child, spouse, sibling, co-habiting and/or sexual partner, or anyone else whom the employee dates, or with whom the employee has a romantic relationship;
10. Abuse of authority by a department head, such as gross favoritism or mistreatment of employees; condoning illegal or improper actions of subordinates toward supervisors, other employees or members of the public;
11. Engaging in outside employment without prior approval from the Department head or designee;
12. Unauthorized sleeping during work hours;
13. Failure to report any accident, injury or auto/equipment damage to Department head or designee; Creating or contributing to unsanitary or unsafe conditions in the workplace;
14. Operating a County vehicle in excess of posted speed limits; reckless driving of County vehicles;
15. Being convicted of a moving traffic violation while using a County-owned or other public-use vehicle; knowingly operating a vehicle on County business with a revoked or suspended driver's

license;

16. Transporting unauthorized passengers in County vehicles or use of County vehicles for unauthorized personal business;
17. Possession or use of an illegal substance while on duty or on County property;
18. Unauthorized possession or use of firearms, dangerous weapons, or explosives on County time or on County property. Misuse or abuse of authorized firearms, dangerous weapons or explosives, on or off duty, on County property or off. (Ex: Off-duty discharge of County issued firearm, except for target practice at an approved range to maintain necessary certifications);
19. Disruptive or distracting behavior which interferes work being performed;
20. Sexually harassing a fellow employee, supervisor, or subordinate; sexually harassing a member of the public on County property or while on duty; Display of obscene, pornographic, or other similarly offensive pictures on County property or while on County duty;
21. Fighting, threatening, assaulting and/or other acts of physical violence on County property or while on duty;
22. Secretly tape recording conversations with other employees, supervisors and/or members of the public without the mutual consent of all parties to the conversation. Divulging information obtained by secretly listening to or eavesdropping upon private conversations between other employees, supervisors and/or members of the public. Divulging confidential personal or work related information;
23. Participating in any kind of work slowdown or similar concerted interference with County operations;
24. Commission of any act deemed to be illegal under the Code of Virginia while on County time or on County property;
25. Engaging in criminal, dishonest, immoral, disgraceful conduct harmful to the County; conviction of a crime which reflects negatively on the County;
26. Violating any policy or procedure prescribed in the Personnel Management plan not described in this section.

This list is to be considered illustrative and not all-inclusive.

D. Counseling

1. Counseling may be a discussion or writing in which the Department Head or designee discusses areas of improvement related to the employee's work performance or behavior. Counseling is not to be used as formal disciplinary action.
2. Counseling may be verbal or documented on the Performance Improvement Plan (PIP). The Performance Improvement Plan shall include the following: (1) a description and specific examples related to the employee's conduct as well as any supporting documentation (2) expectations of appropriate conduct (3) an explanation of how the conduct impacts the work environment and (4) consequences if the employee fails to meet expectations as outlined in the PIP.

3. Documentation regarding counseling will normally be retained in Department Head or designee's files except when directly related to performance evaluations or to support subsequent formal disciplinary action.
4. Counseling is not a prerequisite to disciplinary action.
5. Counseling is not grievable.

E. Disciplinary Action

When appropriate, a formal policy of progressive employee discipline should generally be followed by a Department head or designee depending upon the seriousness of the offense. The following steps should be used for a series of minor offenses. A serious first offense which warrants suspension or termination should result in such disciplinary actions without the preliminary steps. Steps in the process include:

- Verbal warning
 - Written Warning
 - Suspension
 - Termination
1. *The organization reserves the right to alter the progressive discipline order described above, to skip or eliminate disciplinary steps, or to create new and/or additional steps.*
 2. The Human Resources Director will advise the Department Head or designee of the policies and procedures related to the use of progressive discipline, ensure equitable interpretation and application of the provisions of this section, and recommend appropriate action if necessary.
 3. Prior to any formal disciplinary action, including suspension, or termination, the Department head or designee shall notify the employee, either verbally or written, of the offense. Notification should include (1) time, date and nature of the offense (2) potential disciplinary action, and (3) a time to meet to discuss the circumstances of the offense. A meeting shall be held with the employee to discuss the offense, and allow the employee an opportunity to explain his or her actions including mitigating circumstances.
 4. Should, following the informal hearing, the Department Head or designee decide to impose formal discipline, a Written Notice of Disciplinary Action shall be prepared and copies provided to the employee and the Human Resources Department. The Written Notice of Disciplinary Action will include (1) the nature and evidence of the offense (2) any disciplinary action taken in addition to the issuing of the form (3) any extenuating circumstances that were considered, (4) consequences if the employee fails to correct behavior, and (5) the employee's right to grieve the action, if any. The Notice shall be signed by the employee and in the event the employee is unable to sign, it shall be initialed by the Department Head or designee.
 5. An employee may be removed from the work area, without providing advance notice, when the employee's continued presence may be harmful to the employee, their fellow employees, or to the work environment or makes it impossible for the department to conduct business. In this event, the Department Head or designee shall provide Written Notice of Offense after the employee has been removed.
 6. The Written Notice of Disciplinary Action shall remain active for a period of two (2) years. At the end of the active period, any disciplinary action may be removed from the personnel file at the

employee's request.

F. Mitigating Circumstances

1. In choosing the appropriate disciplinary action, the Department Head or designee should consider mitigating circumstances, to include, but not limited to:
 - a. the seriousness of the offense
 - b. past performance
 - c. the length of employment with the County
 - d. an employee's ability and willingness to correct the offense
 - e. disciplinary actions taken for similar offenses of that employee and other employees
 - f. any other circumstances related to the nature of the offense, an employee's employment with the County, and the effect the offense may have on the organization.

G. Other Circumstances which prevent employees from performing their jobs.

1. An employee unable to perform the essential functions of the position in which he or she is assigned may be removed, or terminated from employment, under this section. Reasons include, but are not limited to:
 - a. Loss of driver's license, if required for the position held;
 - b. Incarceration for more than a minimal period of time;
 - c. Loss of license or certification required for position;
 - d. Medical conditions;
 - e. Criminal convictions and/or conduct occurring on or off the job that are related to job performance.

H. Administrative Leave

1. Administrative leave, with pay, may be used when the asserted offense makes it operationally desirable to separate the employee from the workplace while an investigation is conducted; the responsibility of the employee is not clear; and, there is no potential for extreme adverse public reaction to the nature of the offense.
2. The length of an administrative leave shall be limited to (10) ten workdays.

I. Suspension

1. Pending an investigation, suspension, without pay, may be used when the offense and/or action is potentially serious; an investigation is necessary; the responsibility of the employee is more likely than not; and, there is a potential for extreme adverse public reaction to allow the employee to return to their position during an investigation.
2. As a disciplinary action, suspension, without pay, may be imposed by a Department Head or designee when it is determined that an employee has committed a serious offense or repeated minor offenses.
3. The length of an unpaid suspension or shall be limited to (30) thirty workdays.
4. If suspension is imposed, an employee may use accrued leave during the suspension period.
5. Suspensions fourteen (14) calendar days may affect an employee's annual leave accrual, retirement contributions and health insurance coverage, and other benefits.

6. Suspensions imposed on an exempt employee for disciplinary actions must be made on a full-day basis.

Absent an emergency, prior to imposing administrative leave or suspension for investigation purposes, a Department Head or designee should contact the Human Resources Department and/or the County Attorney.

J. Suspension/Administrative Leave pending Investigation

1. Written notification of administrative leave or suspension shall be by memorandum or letter, not by the Written Notice of Disciplinary Action form.
2. Employees on suspension or administrative leave normally shall not be allowed on the department's premises, nor shall they be allowed to perform any work on or using County property except to fulfill previously-scheduled court obligations or to file/process a grievance.
3. When administrative leave is imposed, and if, following the conclusion of the investigation the Department Head or designee:
 - a. Determines that a disciplinary action is not appropriate, the employee shall return to work.
 - b. Determines that the offense violates Standards of Conduct, a Written Notice of Disciplinary Action form shall be completed and, the disciplinary action shall begin immediately.
4. When suspension is imposed, and if, following the conclusion of the investigation the Department Head or designee:
 - a. Determines that a disciplinary action is not appropriate, the employee shall return to work. Any leave, and other benefits shall be reinstated and the employee shall receive back pay for the suspension period.
 - b. Determines that the offense violates Standards of Conduct a Written Notice of Disciplinary Action form shall be completed, and the disciplinary action shall begin immediately.
 - c. If suspension is imposed as a formal disciplinary action, the employee shall only begin the suspension period if the period is longer than the investigation suspension. If the disciplinary suspension is less than the investigation suspension, the employee shall be reimbursed the difference in lost pay and benefits.
5. The Department Head or designee shall have ten (10) workdays to complete an investigation. If the department does not make a decision regarding disciplinary action within ten (10) workdays, the employee shall either (1) be terminated (for example, a law enforcement investigation which may take months to complete and the potential offense is such as may cause an extreme public reaction) or (2) be permitted to return to work pending completion of the investigation.

K. Separation from employment

1. In the event of resignation, retirement, termination, lay-off, permanent disability or death, an employee may be entitled to the following benefits:
 - a. Payment for accrued annual leave, compensatory, and/or overtime.
 - b. Continuation of health insurance under the provisions of Consolidated Omnibus Budget Reconciliation Act (COBRA).
2. Benefits shall be cancelled on the last day of the month following the separation.
3. The separation date shall be recorded as the last day worked or the notification date in the event

the employee is on a leave of absence.

4. Payment for hours worked and entitlement of benefits shall be mailed to the employee.

L. Grievance

1. An eligible employee may challenge a disciplinary action through the grievance process. Please see section X, Grievance Policy/Procedure of the Personnel Management Plan.



County of Culpeper PERFORMANCE IMPROVEMENT PLAN

Employee Name: _____

Department: _____ Date of Issuance: _____

Issued by: _____
Name Title Signature

1. Observations of employee's conduct. Provide dates, times, etc. (Attach any supporting documentation)

2. Following standards that will be expected of employee in the future.

3. How conduct impacts the work environment

4. Consequences if the employee fails to meet expectations.

Matter will be reviewed within _____ or upon next occurrence.

Employee comments:

I have read and received a copy of the above statement

Employee Signature: _____

Date Signed: _____

REVIEW OF PROGRESS

☐ Employee has achieved the required improvement described above and will be re-evaluated again at any point in the future in which performance begins to decline.

☐ Employee has not achieved the required improvement described above. The employee has problems in the following areas:

Suggested Action:

☐ Conduct another review within _____ days/weeks

☐ Progress into formal disciplinary action. Written notice of Disciplinary Action form issued.

Follow up review signatures:

Department Head of Designee

Date

Employee

Date

REVIEW OF PROGRESS

☐ Employee has achieved the required improvement described above and will be re-evaluated again at any point in the future in which performance begins to decline.

☐ Employee has not achieved the required improvement described above. The employee has problems in the following areas:

Suggested Action:

☐ Conduct another review within _____ days/weeks

☐ Progress into formal disciplinary action. Written notice of Disciplinary Action form issued.

Follow up review signatures:

Department Head of Designee

Date

Employee

Date



County of Culpeper WRITTEN NOTICE OF DISCIPLINARY ACTION

Employee Name: _____ Department: _____

Date of Offense(s): _____ Date of Issuance: _____ Inactive Date: _____

Issued by: _____
Name Title Signature

Section I – Offense

Nature of Offense and Evidence: Briefly describe the offense and give an explanation of the evidence. Clear outline of expectations for future performance. Documentation attached? ☐ Yes #of pages _____ ☐ No

Section II – Disciplinary Action

- ☐ Verbal Warning
☐ Written Warning
☐ Suspension from _____ through _____ Return to work _____ # of days suspended
☐ Termination _____
Date

Section II – Circumstances Considered

Describe any circumstances or background information used to reduce or support the disciplinary action.

Documentation attached? ☐ Yes _____ #of pages _____ ☐ No

Section VI Notice to Employee

(Sample) It is expected that the situation described above will be corrected immediately. In the event this situation is not corrected, or another offense occurs, you may be subject to further disciplinary action as outlined in the Standards of Conduct Policy.

If you wish to appeal the corrective action noted above, and are eligible, you may do so under the provisions of the County Grievance Procedures.

Section VII – Employee Signature

I acknowledge that prior to this disciplinary action I was notified of the offense and was given an opportunity to explain my actions including any mitigating circumstances. I also understand that my signature **does not** imply agreement or disagreement with this disciplinary action, but only acknowledges that I have received this notice.

If you refuse to sign, the Department Head or designee within the department will be asked to initial the form indicating that you were given an opportunity to explain your actions, and that you have received a copy of this form:

☐ Employee refused to sign/unavailable to sign Initials: _____ Date: _____

I. Purpose

The County of Culpeper shall provide an environment free from unlawful discrimination. All forms of discrimination related to race, color, religion, sex, age, national origin, disability, or other protected classes, as well as retaliation for engaging in protected activity, are violations of this policy.

This purpose of this policy is to educate employees in the recognition and prevention of illegal workplace harassment and to provide an effective means of eliminating such harassment from the workplace.

II. Scope

This policy applies to all employees

III. Prohibited Conduct**A. Harassment**

1. The county strictly forbids harassment of any employee, applicant for employment, vendor, contractor, volunteer, or customer on the basis of an individual's race, color, national original, religion, age, or disability.
2. The county will not tolerate the use of racial, religious, sexual, gender, age-related, ethnic, or disability related comments, innuendos, slurs, or jokes. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature are also prohibited, as well as all forms of verbal, non-verbal, and physical harassment based on a protected class.

B. Retaliation

1. The county will not tolerate any form of retaliation directed against an employee or third party who either complains about harassment or who participates in any investigation concerning harassment.

IV. Responsibilities

1. The Human Resources Department or designee shall communicate and publish this policy to all employees, and will explain the procedures for filing a workplace harassment complaint.
2. Department Heads or designee's are required to:
 - a. Stop any workplace harassment of which they are aware, whether or not a complaint has been made;
 - b. Express strong disapproval of all forms of workplace harassment;
 - c. Intervene when they observe any acts that may be considered workplace harassment;
 - d. Take immediate action to prevent retaliation towards complaining party(ies) or any participant in an investigation;
 - e. Take immediate action to eliminate any hostile work environment where there has been a complaint of workplace harassment.
3. Employees are required to conduct themselves in a manner that will ensure proper performance of county business and maintenance of public trust and confidence.
4. Victims have a responsibility to make it clear to their harasser, directly or through the complaint process, that such behavior is offensive and to provide notice of the harassment in a timely manner.

V. Policy Violations**A. Engaging in Harassment**

1. An employee who engages in conduct determined to be harassment or encourages such conduct by others shall be subject to disciplinary action, up to and including, termination.

B. Allowing Harassment to Continue and/or Failing to Respond

1. Department heads and/or supervisors who allow workplace harassment to continue or fail to take appropriate corrective action upon becoming aware of the harassment may be considered parties to the offense, even though they may not have engaged in the harassment behavior.
2. Department heads and/or supervisors who allow workplace harassment to continue or who fail to take appropriate action should be subject to disciplinary action, up to and including termination.

VI. Complaint Options

1. Employees may use the following options to file a complaint:
 - a. Grievance procedure
 - b. Workplace Harassment procedure
2. In the event that the employee elects to pursue a complaint under this policy, the employee shall not be permitted to pursue such complaint through the county's grievance procedure.
3. In the event that the employee has previously filed a grievance as a result of an incident, the employee shall not be permitted to pursue a complaint regarding the same incident under this procedure.

VII. Confidentiality

1. The confidentiality of harassment allegations will be protected to the extent possible; unfortunately, it cannot be guaranteed due to the fact that certain information must be revealed to the alleged harasser and potential witness(s) in order to conduct an effective investigation.
2. Information about the allegation will only be shared with individuals on a need to know basis, and records relating to complaints will be kept confidential.
3. In the event that an employee reports a complaint, but asks to keep the matter confidential and requests that the organization take no action, the county will discharge its duty to prevent and correct the harassment. The matter will not be investigated further, unless circumstances clearly indicate that an investigation should be undertaken.

VIII. Workplace Harassment Procedure

1. Employees and third parties should report incidents of workplace harassment and retaliation as soon as possible after the incident occurs.
2. Employees and applicants of employment seeking to remedy workplace harassment may file a written complaint with the Human Resources Director, the Department Head or designee, or any other person designated to receive such reports.
 - a. Under no circumstances shall the individual alleging harassment be required to file a complaint with the alleged harasser.
 - b. Charges of harassment against the County Administrator shall be referred to the Board of Supervisors.

- c. In the event that a third party is responsible for the harassment, the County Administrator or designee will determine the appropriate action to take.
3. An initial investigation should be initiated as promptly as practical after receipt of a complaint to determine whether a detailed fact-finding investigation should be conducted. This may include reviewing the complaint, speaking with the alleged harasser, etc.
4. If a detailed fact finding investigation is **not** warranted, the person conducting the initial investigation shall notify the appropriate parties in a timely fashion.
5. If a detailed fact-finding investigation **is** warranted, it will be launched immediately. The amount of time to complete the investigation will depend upon the particular circumstances.
6. An individual will be designated to conduct the investigation and to objectively gather and consider all relevant facts.
 - a. The alleged offender must not have supervisory authority over the individual who conducts the investigation and must not have any direct or indirect control over the investigation.
7. Intermediate measures may be taken before completing the investigation to ensure that further harassment does not occur. This may include scheduling changes to avoid contact between the parties; transferring the alleged offender; or placing the alleged offender on leave pending the conclusion of the investigation.
 - a. The complainant should not be involuntarily transferred or otherwise burdened, since such measures could constitute unlawful retaliation.
8. The investigator shall interview the complainant, the victim (if not the complainant), the accused, witnesses who have direct, personal knowledge of the harassment, and others who may have relevant information. The alleged harasser may be given the opportunity to provide a written response during the interview process.
9. The investigation may include a review of the personnel files of the complainant and alleged harasser for information potentially related to the complaint.
10. Once the investigation is completed, the county will make a determination as to whether harassment occurred. The determination could be made by the investigator, or by the County Administrator or designee who reviews the investigator's report.
 - a. In some circumstances, it may be difficult to reach a determination because of evidence contradictions, lack of documentary, or eye-witness corroboration. In such cases, a credibility assessment may form the basis for the determination.
11. The complainant, the victim, and the alleged harasser shall be informed of the determination, any appropriate disciplinary action taken or other relief granted, if any, and any other action to be taken as a result of the complaint.
12. Any complainant, victim, or alleged harasser may request that the Personnel Committee review the County Administrator's, or designee's decision.
 - a. Such request must be made in writing to the HR Director or designee within ten (10) calendar days after being informed of the determination.
13. The Personnel Committee shall review the decision, and may (a) take additional evidence, (b) remand that the HR Director or designee conduct an additional investigation; and/or (c) take any other action that it deems appropriate within the limitations of this policy and law.

14. The Personnel Committee shall make a recommendation to the Board of Supervisors to affirm or modify the decision.
15. To the extent that the decision is modified, the Personnel Committee shall make written findings supporting such modifications. The decision of the Board of Supervisors, upon review of the proceedings carried out in accordance with the procedures established herein, shall be final.

IX. Assurance of Immediate and Appropriate Corrective action.

1. Any remedial measures shall be designed to stop the harassment, correct its effects on the employee, and ensure that the harassment does not recur. These remedial measures need not be those that the victim and/or complainant requests or prefers, as long as they are effective.
2. Remedial measures should not adversely affect the complainant. If it is necessary to separate the parties, the offender should be transferred (unless the complainant prefers otherwise). Other forms of remedial measures might include: oral or written warning or reprimand; demotion; reduction of wages; suspension; training or counseling; and monitoring of the harasser to ensure that discrimination stops.
3. Remedial measures also should correct the effects of the discrimination on the victim. Such measures should be designed to put the employee in the position she or he would have been in had the misconduct not occurred. Such measures might include: restoration of leave taken because of the discrimination; reinstatement; apology by the harasser; monitoring treatment to ensure that the employee is not subjected to retaliation; and correction of any other harm caused by the discrimination (e.g., compensation for losses).

Definitions

1. Retaliation – overt or covert acts of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against an individual or group exercising rights under this policy.
2. Sexual Harassment – any unwelcome sexual advance, request for sexual favors, or verbal, written or physical conduct of a sexual nature by a manager, supervisor, co-workers, or non-employee (third party).
 - a. Quid pro quo – a form of sexual harassment when a manager/supervisor or a person of authority gives or withholds a work-related benefit in exchange for sexual favors. Typically, the harasser requires sexual favors from the victim, either rewarding or punishing the victim in some way.
 - b. Hostile environment – a form of sexual harassment when a victim is subjected to unwelcome and severe or pervasive repeated sexual comments, innuendoes, touches, or other conduct of a sexual nature which creates an intimidating or offensive place for employees to work.
3. Third parties – Individuals who are not county employees, but who have business interactions with county employees. Such individuals include but are not limited to customers, vendors and volunteers.
4. Workplace Harassment – Any unwelcome verbal, written or physical conduct that either denigrates or shows hostility or aversion towards a person on the basis of race, sex, color, national origin, religion, age, or disability that; (1) has the purpose or effect of creating an intimidating hostile or offensive work environment; (2) has the purpose or effect of unreasonably interfering with an employee's work performance; or (3) affects an employee's employment opportunities or compensation.



CULPEPER COUNTY WORKPLACE HARASSMENT COMPLAINT FORM

Employee Name: _____

Department: _____ Position: _____

Name of person(s) committing the harassment: _____

Describe the specific nature of the harassment _____

When did the harassment begin? _____

Has it stopped? _____

Has any employment action (demotion, failure to promote, dismissal, refusal to transfer, etc) been taken against you, or threatened, as a result of the harassment? If so, please explain:

Have any employment opportunities (promotion, increase in salary, potential transfers, perquisites) been offered or denied as a result of the harassment? If so, please explain: _____

Have any threats been made against you as a result of the harassment? If so, please explain: _____

List all witnesses, if any, to the harassment: _____

Have you previously reported this harassment? If so, when and to whom? _____

Employee Signature: _____ Date: _____

I. Purpose

It is the policy of the Board of Supervisors to provide fair, equitable, and satisfactory working arrangements for its employees. This policy provides a process where employees may voice complaints concerning issues related to their employment with the County.

II. Scope

This policy applies to all local government full and part time employees who are not listed as exempt under Section 15.2-1507 of the Code of Virginia. Exempt positions include:

- Keys officials of the County such as the County Administrator, and Department Heads;
- Employees serving their initial probationary periods unless their complaint include allegations of discrimination;
- Members of boards and commissions;
- Officials and employees who serve at the will or pleasure of an appointing authority;
- Temporary, limited and seasonal employees;
- Employees of Constitutional officers.

The County Administrator or his designee shall maintain an up to date list of the positions that are excluded from the grievance procedure which is attached.

III. Procedure

A. Types of Complaints

An eligible employee may grieve (complain or dispute) any action relating to his or her employment. However, the County retains the right to manage the affairs and operations of the organization; therefore not all actions are grievable.

1. Examples of grievable actions:

- a. Disciplinary actions, including dismissals; disciplinary demotions and suspensions;
- b. *Application* of personnel policies, procedures, rules and regulations;
- c. Complaints of discrimination on the basis of race, color, creed, religion, political affiliation, age, disability, national origin, or sex;
- d. Acts of retaliation taken as a result of utilization of this grievance procedure or for participation in the formal grievance of another County employee;
- e. Acts of retaliation because the employee has complied with any law of the US or the Commonwealth of Virginia; has reported any violation of such law to a governmental authority or has sought any change in law before the United States Congress or the General Assembly of Virginia.

2. Examples of non-grievable actions:

- a. Establishment or revision of wages, salaries, position classifications, or general benefits
- b. Work activity accepted by an employee as a condition of employment or which reasonably may be expected to be part of the content of the job;
- c. Direction and evaluation of the work of County employees (performance evaluations shall not be grievable except where the employee can show that the evaluation was arbitrary or capricious);
- d. Means, methods and personnel by which work activities are undertaken
 - i. The provision of equipment, tools, and facilities necessary to accomplish tasks;
 - ii. The scheduling and distribution of manpower/personnel resources
 - iii. Training and career development.
 - iv. Hiring, promotion, transfer, assignment, and retention of employees;

- e. Failure to promote except where the employee can show that established promotional policies or procedures were not followed or applied fairly;
- f. Termination, layoff, demotion or suspension from duties because of lack of work, reduction in workforce or job abolition except where such actions affect an employee who has been reinstated within the previous six month as the result of the final determination of a grievance. In any grievance brought under the exception to this paragraph, the action of the County shall be upheld upon a showing by the County that:
 - i. There was a valid business reason for the action; and
 - ii. The employee was notified of the reason in writing prior to the effective date of the action;
- g. Contents of statutes, ordinances, personnel policies, procedures, rules and regulations
- h. Relief of employees from duties in emergencies; or;
- i. Informal supervisory action – for example, counseling

B. Time Periods

1. Within this policy, “days” shall be defined as calendar days unless otherwise noted.
2. Time periods shall begin to run on the day following the action, without regard to weekends or County-observed holidays.
3. If a specified time period in this procedure ends on a weekend or holiday, the last day of the time period shall be the end of the first business day following the weekend or holiday.
4. The time periods are intended to be strictly construed and enforced. However, in the interests of fairness, such time limits may be extended if both parties agree to such extensions in writing.

C. Grievability and Determination Appeals

1. The issue of grievability may be raised by the grievant or Department Head at any step of the grievance procedure prior to panel hearing, or it shall be deemed waived by all parties. The issue shall be resolved before further processing of the grievance.
2. Determinations of grievability and access shall be made by the County Administrator, or designee.
 - a. No County Attorney shall be authorized to decide the question of grievability.
3. The County Administrator shall have ten (10) calendar days from the date of the request to render a decision of grievability. A copy of the decision shall be sent to the grievant, Department Head or designee, and Human Resources.
4. If the grievant does not agree with the County Administrator’s decision, he/she may file a notice of appeal. The appeal must be received by the County Administrator within ten (10) calendar days from the date the decision was rendered. Copies shall be sent to the grievant, Department Head or designee, and Human Resources.
5. All appeals shall be heard in the Culpeper County Circuit Court.
6. Within ten (10) calendar days after the filing of the notice of appeal, the County Administrator shall transmit to the Clerk of the Circuit Court the following:
 - a. Copy of the County Administrator’s decision on grievability or access to the procedure;
 - b. Copy of the notice of appeal;
 - c. Copies of exhibits.

A list of the evidence furnished to the Court shall also be furnished to the grievant.

7. The failure of the County Administrator or designee to transmit the record shall not prejudice the rights of the grievant. The court, on motion of the grievant, may issue a writ of certiorari requiring the County Administrator to transmit the record on or before a certain date.
8. Within 30 days of receipt of such records by the clerk, the court, sitting without a jury, shall hear the appeal on the record transmitted by the County Administrator or his designee and such additional evidence as may be necessary to resolve any controversy as to the correctness of the record. The court, in its discretion, may receive such other evidence as the ends of justice require.
9. The decision of the court shall be rendered no later than the fifteenth day (15) from the date of the conclusion of the hearing.
 - a. The court may affirm the decision of the County Administrator or his designee, or may reverse or modify the decision.
 - b. The decision of the court is final and is not appealable.

IV. Grievance Procedure Process

Steps of the Grievance Procedure

The grievance procedure contains phases:

Step 1 – Informal Discussion

Management Steps

Step 2 – Immediate Supervisor Hearing

Step 3 – Department Head Hearing

Step 4 – County Administrator or designee Hearing

Final Step

Step 5 – Panel Hearing or Hearing Officer

A. Step 1 - Informal Discussion

1. Prior to the initiation of the Management Steps, an employee should discuss the dispute with his or her immediate supervisor as an attempt to resolve the problem informally.
2. Even when informal discussions are ongoing, however, the employee must initiate the Management Steps within twenty (20) calendar days as stated in the Initiating a Grievance section of this policy.
3. The timeframe may be extended if both parties agree, but to be enforceable, such agreement must be in writing.

B. Initiating a Grievance

1. An employee shall initiate the Management steps by completing the Grievance Complaint Form, and must be presented to the appropriate respondent within twenty (20) calendar days from the date the employee knew or should have known of the event that forms the basis of the grievance.
2. The grievance must be presented to the department in which the employee works and pertain directly and personally to the employee's own employment in a position with access to the grievance procedure.
3. The form must state the claim, the facts in support of the claim, and the relief requested or the grievance may be administratively closed due to non compliance.
4. The employee may not add additional claims/relief to the grievance once initiated.

C. Step 2 – Immediate Supervisor Hearing

1. An employee shall submit the written grievance to his or her immediate supervisor or the person who issued the discipline/action.
 - a. In the event that the Department Head is the person who issued the discipline/action, the employee shall go directly to step 3 of the grievance.
 - b. In the event that an employee alleges retaliation or discrimination by the immediate supervisor, the employee may proceed directly to step 3 of the grievance.
2. The immediate supervisor must:
 - a. Accept the grievance
 - b. Enter the date on the Grievance form
 - c. Notify the Human Resources Department of the grievance.
3. The immediate supervisor shall identify the issues, gather information and review the facts. A face-to-face meeting shall be held to discuss the issues in the dispute.
4. Within ten (10) calendar days of receiving the grievance, the immediate supervisor must provide written response on the grievance form.
 - a. The response must address the issues and the relief requested, and should notify the employee of his or her procedural options.
5. Within ten (10) calendar days of receiving the immediate supervisor's response, the employee must:
 - a. Indicate on the grievance form his or her intention to continue to the third step resolution and submit the form to the third step respondent **or**;
 - b. Indicate on the grievance form his or her intention to conclude the grievance and submit the form to the Human Resources Department.

D. Step 3 – Department Head Hearing

1. An employee shall submit the written grievance to his/her Department Head. In the event that an employee alleges retaliation or discrimination by the Department Head the employee may:
 - a. Request that the County Administrator designate another third step respondent or;
 - b. Has the option to proceed directly to step 4 of the grievance.
2. The Department Head must:
 - a. Accept the grievance
 - b. Enter the date of receipt on the form
 - c. Notify the Human Resources Department that the grievance has advanced
3. The Department Head shall identify the issues, gather information and review the facts. A face-to-face meeting shall be held to discuss the issues in the dispute.
4. The persons that may be present at this meeting include:
 - a. Employee;
 - b. Department Head;
 - c. Any relevant witnesses.
5. The employee and Department Head may call relevant witnesses, but the witnesses shall only be present at the meeting while he/she is being questioned.

6. Both parties are encouraged to present information relevant to the grievance and may question one another regarding disputed facts and issues at the meeting.
7. Within ten (10) calendar days of receiving the grievance, the Department Head must provide written response on the grievance form.
 - a. The response must address the issues and the relief requested, and should notify the employee of his or her procedural options.
8. Within ten (10) calendar days of receiving the third step response, the employee must:
 - a. Indicate on the grievance form his or her intention to continue to the fourth step resolution and submit the form to the fourth step respondent or;
 - b. Indicate on the grievance form his or her intention to conclude the grievance and submit the form to the Human Resources Department.

E. Step 4 – County Administrator Hearing

1. An employee shall submit the written grievance to the County Administrator, or designee.
2. The County Administrator or his designee must:
 - a. Accept the grievance
 - b. Enter the date of receipt on the form
 - c. Notify the Human Resources Department that the grievance has advanced.
3. Within ten (10) calendar days of the fourth-step respondent's receipt of the grievance, a meeting shall be held.
4. The persons who may be present at this meeting include:
 - a. Employee and an individual selected by the employee
 - b. The County Administrator or his designee;
 - c. Department Head;
 - d. Human Resources representative
 - e. If the grievant is represented by legal counsel, the organization also has the option of being represented by counsel.
5. The County Administrator or designee is charged with presiding over the meeting and must do so in an even-handed manner. For example, while the County Administrator or designee could limit the introduction of repetitive information, he/she should not prohibit an employee from disclosing relevant information not previously provided.
6. The employee and Department Head are encouraged to present information relevant to the grievance and may question one another regarding disputed facts and issues at the meeting.
7. The employee and the Department Head may call relevant witnesses, but the witnesses shall only be present at the meeting while he or she is providing information.
8. The Human Resources Director is responsible for recording the meeting and maintaining the record in his or her possession for a period of twelve (12) months. Both parties may request and receive a copy of the record; a reasonable fee may be charged.
9. Within ten (10) calendar days of receiving the grievance, the County Administrator, or designee must provide written response on the grievance form.
 - a. The response must address the issues and the relief requested, and should notify the employee of his or her procedural options.

10. Within ten (10) calendar days of receiving the fourth step response, the employee must:
 - a. Request on the grievance form that his or her grievance continue to the fifth step resolution and submit the form to the County Administrator, or designee or;
 - b. Indicate on the grievance form his or her intention to conclude the grievance and submit the form to the Human Resources Department.

F. Step 5 – Panel Hearing or Hearing Officer

1. The final step in the grievance procedure may be a hearing before an impartial three-member panel or a hearing officer at the election of the County Administrator or designee.
2. Within seven (7) calendar days of receipt of request for the grievance to proceed to step 5, the County Administrator, or designee shall notify the employee if the grievance shall be heard by a panel or a hearing officer.

F1. Hearing Officer

1. If the County Administrator elects for the grievance to be heard by a hearing officer, he/she may request that the hearing officer be appointed by:
 - a. The Virginia Department of Employment Dispute Resolution or;
 - b. The Executive Secretary of the Supreme Court of Virginia.
 1. The officer shall be chosen by from a list maintained by the Executive Secretary and from the appropriate geographical region on a rotating basis.
2. Within seven (7) calendar days of designating a hearing officer for Step 5 of the grievance, the County Administrator or designee shall request that the hearing officer be appointed by the elected agency.
 - a. The County Administrator or designee shall notify the employee that the request has been made.
3. All parties shall be notified when the hearing officer has been selected by the elected agency.

F2. Panel Hearing

1. The County Administrator or designee shall appoint a panel member within seven (7) calendar days after deciding that a panel will hear the grievance.
2. Within seven (7) calendar days following the County's Administrator's appointment to the panel, the employee shall appoint a panel member.
3. The third member of the panel shall be selected by the first two panel members. They shall accomplish this selection within twenty (20) calendar days following the employee's appointment to the panel.
 - a. In the event that an agreement cannot be reached as to a final panel member, the Chief Judge of the Culpeper County Circuit Court shall select the third member.
 - b. In all cases, the third panel member shall be chairperson of the panel.
4. The following persons may not serve on the Panel:
 - a. Persons involved in an earlier step of the particular grievance or with the complaint or dispute that gave rise to the grievance;
 - b. Supervisors who are in a direct line of supervision of the grievant;
 - c. Persons residing in the same household as the grievant and the following relatives of a participant in the grievance process:
 1. Spouse

2. Parent
 3. Child
 4. Descendents of child
 5. Sibling
 6. Niece
 7. Nephew
 8. First cousin.
- d. An attorney having direct involvement with the subject matter of the grievance nor a partner, associate, employee, or co-employee of the attorney.

F3. Guidelines

1. The Panel Chairman or Hearing Officer shall promptly set the date, time and location for the grievance and shall notify the parties.
2. The Human Resources Director shall provide the panel or hearing officer with copies of the grievance record prior to the hearing and shall provide the employee with a list of the documents furnished to the panel.
3. At least ten (10) calendar days prior to the scheduled hearing, the County and employee shall be allowed to and copies of all relevant documents, files, exhibits, and list of witnesses that will be used by either party at the panel hearing.
 - a. Witness lists shall include name, address, telephone number of each witness and a brief statement of the substance of the expected testimony;
 - b. All parties shall be present when evidence is presented unless otherwise agreed upon in writing.
 - c. The panel or hearing officer has the authority to determine the admissibility of evidence without regard to burden of proof.
 - d. The panel or hearing officer has the authority to determine the order in which the evidence will be presented as long as all parties are afforded the opportunity to present their evidence.
4. Relevant documents, files, exhibits and witnesses shall not be presented as evidence or permitted to testify at the hearing if the documents are requested, but not provided to the opposing party within ten (10) calendar days prior to the scheduled hearing, absent showing good cause.
5. The panel or hearing officer has the authority to limit attendance at the hearing to persons having a direct interest in the case, and shall conduct the hearing in private if it is requested by either party.
6. The employee shall present his/her case first; and the County shall present its case second.
7. Both the employee and the County may be represented by legal counsel or other representative at the hearing.
8. Both parties may call upon appropriate witnesses; examine, cross examine, question and present evidence on behalf of the grievant or County before the panel without being in violation of the provisions of Virginia Code Section 54.1-3904.
 - a. Witnesses shall only be present at the meeting while he or she is providing information.
9. The decision of the panel or hearing officer should be rendered as soon as possible, but in any case, not later than seven (7) calendar days following the conclusion of the hearing.

10. The majority decision of the panel or the decision of the hearing officer, acting within the scope of its authority, shall be final, subject to existing policies and procedures.
11. The panel or hearing officer shall not have the authority to do any of the following:
 - a. Formulate policies and procedures;
 - b. Alter existing policies and procedures;
 - c. Circumscribe or modify the rights of the County as outlined in this procedure;
 - d. Exonerate an employee from all discipline when the guilt of the employee is admitted or beyond question in the view of the panel or hearing officer;
 - e. Grant relief greater than which the grievant has requested in the appropriate form.
12. The question of whether the relief granted by the panel or hearing officer is consistent with written policy shall be determined by the County Administrator or designee unless he/she has direct personal involvement with the event(s) that gave rise to the grievance.
 - a. In this case the decision shall be made by the Commonwealth's Attorney of Culpeper County.
13. Either party may petition the Circuit Court of Culpeper County for an order requiring implementation of the panel or hearing officer's decision.

G. Expenses/Miscellaneous

1. The grievant shall bear all cost involved in employing representation or in preparing and/or presenting his/her case.
2. No person shall receive any compensation, whether monetary or otherwise, for his/her time serving as a member of the grievance panel.
3. The County shall bear all costs if it selects a hearing officer at step 5 of the grievance proceedings.
4. Whenever possible, grievances will be handled during the regularly scheduled workdays of the parties involved.
5. The grievant or witness(es) that are employees of the County shall not receive pay for time worked for participating in any step of the grievance process unless the grievance occurs during the individuals regular scheduled workday.

H. Relief

1. The employee shall not be entitled to recover more than that which he/she has requested and in any event no more than that which he/she has lost.
2. The relief shall be directly related to the employee, and the issue surrounding the grievance.
3. The employee shall forfeit any partial relief that may be obtained at one level of the grievance process if he/she decides to appeal the grievance to the next higher level.
4. Examples of relief which may be available include:
 - a. Reinstatement to the employees former position or, if occupied, to an objectively similar position;
 - b. An award of full, partial or no back pay;
 - c. The restoration of full benefits and seniority;

- d. An order that the agency comply with applicable law and policy;
5. Example of relief that are not available include:
- a. Damages;
 - b. Hiring, promotion, transfer, assignment, or retention of any employee;
 - c. Establishing or revising compensation, classification or benefits;
 - d. Establishing or revising policies, procedures, rules or regulation;
 - e. Taking adverse action against an employee ;
 - f. Directing methods, means or personnel by which work activities are to be carried out, or;
 - g. Any other relief that is inconsistent with the grievance status or procedure.
6. Back pay shall be computed on the basis of the employee's regularly scheduled hours of work and shall not be entitled to any overtime that the employee might have earned.

I. Compliance

- 1. After the initial filing of a written grievance, failure of either party to comply with all substantial procedural requirements of the grievance procedure, including the panel, without just cause, shall result in a decision in favor of the other party on any grievable issue, provided the party not in compliance fails to correct the noncompliance within five (5) workdays of receipt of written notification by the other party of the compliance violation.
 - a. Such written notification by the grievant shall be made to the County Administrator, or designee.
- 2. The County Administrator, or his designee, at his option, may require a clear written explanation of the basis for just cause extensions or exceptions, and shall determine compliance issues. Compliance determinations made by the County Administrator shall be subject to judicial review by filing petition with the Culpeper County Circuit Court within 30 days of the compliance determination

LIST OF POSITIONS
EXCLUDED FROM THE GRIEVANCE PROCEDURE

County Administrator

County Attorney

Department Heads to include but not limited to:

Building Official

Finance Director

Human Resources Director

Director of Animal Services

Economic Director

Director of Procurement & Communications

Director of Information Technology

Emergency Services Director

Director of Parks & Recreation

Environmental Services Director

Director of Planning & Zoning

Planning & Zoning

Director of Criminal Justice Services

Risk Manager

Youth Network Director

Real Estate Assessor

Employees of Department of Human Services

Constitutional Officers Employees

Temporary, limited term or seasonal positions

Grant funded positions



COUNTY OF CULPEPER GRIEVANCE COMPLAINT FORM

COMPLAINT

| | | | |
|---|-----------------------|----------------|---------------|
| Employee's Full Name: | | Last four SSN: | Date of Hire: |
| Department: | | Job Title: | |
| Date Grievance Occurred: | | | |
| The issues are (use attachments if necessary): | | | |
| The facts supporting this are (use attachments if necessary): | | | |
| The relief I want is (use attachments if necessary): | | | |
| Date: | Employee's Signature: | | |
| <i>Grievances must be presented or mailed to the immediate supervisor within 20 calendar days from the date the employee knew or should have known of the event that forms that basis of the grievance.</i> | | | |

Step 2 – IMMEDIATE SUPERVISOR

| | | |
|---|---------------------------------|--|
| Check if you decided not to present this to your immediate supervisor because (check one): | | |
| <input type="checkbox"/> Department Head issued the discipline/action <input type="checkbox"/> Discrimination or Retaliation by Immediate Supervisor | | |
| Date Received: | | |
| Response (use attachments if necessary): | | |
| Date: | Immediate Supervisor Signature: | Telephone No.: () - ext. |
| Date Received: _____ Employee's response (check one): <input type="checkbox"/> I conclude my grievance and am returning it to the Human Resources Office. <input type="checkbox"/> I advance my grievance to the third step. | | Employee/Immediate Supervisor Response: <input type="checkbox"/> I want the County Administrator to determine whether I have access to the grievance procedure. Date: _____ Signature: _____ <input type="checkbox"/> I want the County Administrator to determine if the complaint/relief is grievable. (use attachments if necessary) Date: _____ Signature: _____ |
| Employee's comments (optional - [use attachments if necessary]): | | |
| Date: | Employee's Signature: | |
| NOTE: The employee is responsible for having the grievance delivered to the proper person within ten calendar days. | | |

Step 3 – DEPARTMENT HEAD

| | | |
|---|------------------------------------|--|
| I am alleging retaliation and/or discrimination; therefore I am requesting (check one): <input type="checkbox"/> The County designate someone else to be the 3 rd step respondent <input type="checkbox"/> The grievance proceed to step 4. | | |
| Date of Meeting: | | Third Step Respondent (if requested by the employee): |
| Response (use attachments if necessary): | | |
| Date: | Department Heads Signature: | Telephone No.: () - ext. |
| Date Received: _____ Employee's response (check one): <input type="checkbox"/> I conclude my grievance and am returning it to the Human Resources Office. <input type="checkbox"/> I advance my grievance to the fourth step. | | Employee/Immediate Supervisor Response: <input type="checkbox"/> I want the County Administrator to determine if the complaint/relief is grievable (use attachments if necessary) Date: _____ Signature: _____ |
| Employee's comments (optional - [use attachments if necessary]): | | |
| Date: | Employee's Signature: | |
| NOTE: The employee is responsible for having the grievance delivered to the proper person within ten calendar days. | | |

Step 4 – COUNTY ADMINISTRATOR OR DESIGNEE

| | | |
|--|---|---|
| Date Received: | | Fourth Step Respondent (as designated by County Administrator) |
| Response (use attachments if necessary): | | |
| Date: | County Administrator's or designees Signature: | Telephone No.: () - ext. |
| Date Received: _____ Employee's response (check one): <input type="checkbox"/> I conclude my grievance and am returning it to the Human Resources Dept. <input type="checkbox"/> I advance my grievance to a panel hearing or hearing officer | | |
| Employee's comments (optional - [use attachments if necessary]): | | |
| Date: | Employee's Signature: | |
| NOTE: The employee is responsible for having the grievance delivered to the proper person within ten calendar days. | | |

DESIGNATION OF STEP 5 PROCEEDING PANEL or HEARING OFFICER

| | | |
|--|--|--|
| Date Received: | | |
| <p>This is to notify you that the Step 5 grievance shall be heard by:</p> <p><input type="checkbox"/> Panel</p> <p><input type="checkbox"/> Hearing Officer</p> | | |
| Date: | County Administrator's or designees Signature: | Telephone No.: () - ext. |
| <i>NOTE: County Administrator must elect designation within 7 calendar days of request for grievance to proceed to step 5</i> | | |

HEARING OFFICER

| | | |
|---|-----------------------------|--|
| Date Received: | | Hearing Officer's Name: |
| Decision of Hearing Officer & Relief Granted (use attachments if necessary): | | |
| Date: | Hearing Officers Signature: | Telephone No.: () - ext. |
| <i>NOTE: The hearing officer's decision shall be rendered no later 7 calendar days following conclusion of the hearing</i> | | |

PANEL HEARING

| | | |
|--|-----------------------|---------------------------|
| Date Received: | | |
| Decision of Panel & Relief Granted (use attachments if necessary): | | |
| Panel Member response (check one): <input type="checkbox"/> I agree with the findings <input type="checkbox"/> I DO NOT agree with the findings | Date: | Panel Member's Signature: |
| Panel Member response (check one): <input type="checkbox"/> I agree with the findings <input type="checkbox"/> I DO NOT agree with the findings | Date: | Panel Member's Signature: |
| Panel Member response (check one): <input type="checkbox"/> I agree with the findings <input type="checkbox"/> I DO NOT agree with the findings | Date: | Panel Member's Signature: |
| Date: | Employee's Signature: | |
| <i>NOTE: The panel's decision shall be rendered no later 7 calendar days following conclusion of the hearing</i> | | |

DETERMINATION OF GRIEVABILITY

| | |
|---|--|
| The <input type="checkbox"/> Complaint <input type="checkbox"/> Relief you requested <input type="checkbox"/> is <input type="checkbox"/> Is NOT grievable under the County's Grievance Policy. | |
| Reasons (use attachments if necessary): | |
| Date: | County Administrator's Signature: |
| Date Received: _____ | |
| Employee's response (check one): <input type="checkbox"/> I conclude my grievance and am returning it to the Human Resources Office. <input type="checkbox"/> I appeal the decision and request the Human Resources Office to forward the grievance record to the Culpeper County Circuit Court. | |
| Employee's comments (optional - [use attachments if necessary]): | |
| Date: | Employee's Signature: |
| NOTE: Determination of grievability must be rendered within 10 calendar days from date of request. | |

APPOINTMENTS TO GRIEVANCE PANEL

County Administrator Panel Member

| | | |
|---|---|----------------------|
| Name of Panel Member: | | Contact Information: |
| | | |
| Date: | County Administrator or designee signature: | |
| <i>NOTE: The first panel member must be chosen within 7 calendar days of receipt of request for a hearing</i> | | |

Grievant Panel Member

| | | |
|---|-----------------------|----------------------|
| Name of Panel Member: | | Contact Information: |
| | | |
| Date: | Grievant's signature: | |
| <i>NOTE: The second panel member must be chosen within 7 calendar days following the County's Administrator's appointment to the panel.</i> | | |

Third Panel Member

| | | |
|--|---|----------------------|
| Name of Panel Member: | | Contact Information: |
| | | |
| <input type="checkbox"/> An agreement cannot be reached on the Third Panel member; therefore, we request that the Chief Judge of Culpeper Circuit Court select the third panel member. | | |
| Date: | 1 st Panel Member signature: | |
| Date: | 2 nd Panel Member signature: | |
| <i>NOTE: The third panel member must be chosen within 20 calendar days following the employee's appointment to the panel.</i> | | |

Chief Judge of Culpeper County Circuit Court

| | | |
|-----------------------|------------------------|----------------------|
| Name of Panel Member: | | Contact Information: |
| | | |
| Date: | Chief Judge signature: | |

I. Purpose

It is the policy of the County of Culpeper to maintain personnel records for applicants, employees and former employees in order to document employment-related decisions, evaluate and assess policies, and comply with governmental record keeping and reporting requirements.

The County strives to balance its need to obtain, use and retain employment information with each individual's right to privacy.

II. Scope

This policy applies to all employees.

III. Procedures**A. Storage**

1. Personnel files for each employee are maintained in the Human Resources (HR) Department, and contain documents that have been used to determine employment, promotion, compensation, transfer, disciplinary action, or termination.
2. The Human Resources Department is responsible for the maintenance of all personnel files for employees that are governed by the Board of Supervisors.
3. Personnel files shall not be removed from the HR Department. Only HR personnel have continual access to employee personnel files.

B. Collection of Information

1. Employees are responsible for notifying the Human Resources Department of any changes that may affect the accuracy of personnel records. This includes but is not limited to:
 - a. Name,
 - b. Contact information
 - c. Beneficiary designations
2. Department Heads or designee are responsible for notifying the Human Resources Department of any changes that may (1) affect the status of an employee or (2) the accuracy of the personnel records. This includes but is not limited to:
 - a. New hire paperwork
 - b. Salary changes
 - c. Performance evaluations
 - d. Departure forms

C. Access

1. Department Heads may have access to an employee's personnel file that is located within their department. Requests to review an employee's personnel file that is not located within their department must be approved by the Human Resources Director.
2. Employees may inspect their own personnel files
 - a. A request may be verbal or written;
 - b. All inspections shall be conducted in the presence of a human resources staff member;
 - c. Records deemed to contain sensitive or confidential information may be excluded from the inspection;
 - d. An employee may copy, but not remove, documents that he or she signed, and may incur a reasonable fee for any copies.

D. Medical Information

1. The County shall use its best efforts to maintain confidentiality of the diagnosis and medical records of employees, unless otherwise required by law.
2. All medical records shall be kept in a separate file and the information contained herein shall only be released to those with a legitimate need to know.
3. Medical information or records shall not be disclosed to other employees, (1) unless the information is, in the opinion of the organization, necessary to protect the health or safety of the employee, coworkers, or others or (2) the employee has given the organization authorization to disclose such information.
 - a. The desire to know is not sufficient reason to divulge medical information.

E. Incomplete, Inaccurate or Irrelevant Information.

1. Employees who feel that any file material is incomplete, inaccurate, or irrelevant may submit a written request to the Human Resources Director that the files be revised accordingly.
2. If such a request is not granted, the employee may place a written statement of disagreement in the file and pursue the matter further using the County's grievance procedure outlined in Section X of the Personnel Management Plan.

F. Requests for Personnel Information by Outside Sources.

1. All requests made by outside sources for information pertaining to applicants, and current and previous employees shall be forwarded and answered by the Human Resources Department.
 - a. The County of Culpeper shall release information pertaining to only dates of service, position held, and final or current salary for persons who are currently or no longer employed with the County.
 - b. Additional information may be released as authorized by the current or former employee, or otherwise required by law.

I. Purpose

It is the County's objective to establish uniform policies by which employees are permitted to take time off from work.

II. Scope

This policy applies to all employees.

III. Procedures**A. Approval of Leave**

1. Employees should request leave no later than two (2) days before the commencement of leave using a leave request form, whether time off is with or without pay, and should receive the Department Head's or designee's approval before taking leave.
2. As long as an agency's operations are not seriously adversely affected, a Department Head or designee should attempt to approve an employee's request for leave. If the time requested conflicts with the department's operations, the Department Head has the discretion to approve the employee's request for an alternate time.
3. If an employee could not have anticipated the need for leave, he must notify his Department Head or designee and request approval for the leave as soon as possible. Notification must be made as soon as the need for leave is apparent.
4. A Department Head or designee may require written documentation for leave in excess of three (3) days, whether time off is consecutive or intermittent, if the leave is related to the same illness.
5. An employee who is absent from duty without approval of his Department Head or designee shall receive no pay for the duration of the absence and shall be subject to disciplinary action as described in the Standards of Conduct section. It is recognized that there may be extenuating circumstances for unauthorized absence and due consideration shall be given to each case.

B. Annual Leave

1. Full time regular employees will accrue leave in accordance with the following schedule:

| | |
|--|--------------------|
| Less than five (5) years of service | 12 hours per month |
| Five (5) but less than fifteen (15) years of service | 16 hours per month |
| Fifteen (15) or more years of service | 20 hours per month |

Employees leave accrual may be different than listed above depending on the department in which he or she is employed. Please see the attached leave accrual table for more information.

2. Employees must be on a paid status for a least half of the month to accrue leave for that month; employees who are on a paid status for less than half of the month do not accrue leave in that month.
3. Employees are eligible to accrue up to 720 hours of annual leave. Once the 720 hours figure is reached, annual leave will no longer accumulate, but, will be lost, until sufficient leave is taken to bring the employees accumulated balance below the maximum allowable amount.

C. Bereavement Leave.

1. Bereavement leave is defined as an approved employee absence during regularly scheduled work hours due to the death of a member of the employee's immediate family. For the purposes of bereavement leave, an employee's immediate family shall be defined as the employee's:

spouse; children, including step-children and foster children; parents, including step-parents; parents-in-law; grandparents; grandparents-in-law; sons-in-law; daughters-in-law; grandchildren; brothers, including step-brothers; brothers-in-law; sisters, including step-sisters; sisters-in-law; any relative, either by blood or marriage, living in the employee's household.

2. For any one incident, bereavement leave shall be limited to three (3) consecutive days for any regular full time employee and shall be taken within a reasonable time frame after the death of the immediate family member.

D. Civil Leave (Jury Duty)

1. A regular full time employee shall be given time off without charge to other leave or decrease of pay when performing jury duty; when subpoenaed as a witness on County business, or in a proceeding in which the employee is not a party. The period of such leave shall be only as necessary for the performance of the activity, plus the necessary travel time.

E. Compensatory (Comp) Leave

1. The County desires that each employee request to use accrued comp time within a reasonable time. The County defines a reasonable time to be not more than 60 days from the date the compensatory time is earned.
2. Any request by an employee within a reasonable time to use compensatory leave, shall be granted by the appropriate supervisor unless, leave would unduly disrupt the operations of the department.
3. Should an employee accrue, but not request compensatory leave under these circumstances, the appropriate supervisor, in their sole discretion, may require the employee to take compensatory leave. Since compensatory time is accrued at one and one-half the regular rate of pay, compensatory leave that remains on the books for 60 days may be paid out at the regular rate of pay.
4. Compensatory time shall be exhausted before annual leave is utilized.
5. Employees who are not engaged in public safety activities shall not accrue more than 240 compensatory hours. Since compensatory time is accrued at one and one-half the regular rate of pay, compensatory leave accrued in excess of 240 hours shall be paid out to the employee at their regular rate of pay.
6. Employees who are engaged in public safety activities shall not accrue more than 480 compensatory hours. Since compensatory time is accrued at one and one-half the regular rate of pay, compensatory leave accrued in excess of 480 hours shall be paid out to the employee at their regular rate of pay.

F. Family Medical Leave (FMLA)

1. FMLA requires covered employers to provide up to twenty-six (26)-weeks of job-protected leave to eligible employees for:
 - a. Birth & care of a newborn (12 weeks)
 - b. Placement of a child for adoption or foster care (12 weeks)
 - c. Care for a family member with a serious health condition (12 weeks)
 - d. Employee's own serious health condition (12 weeks)
 - e. Qualifying exigency because of active duty (12 weeks)
 - f. Care for a injured and/or ill covered service member (26 weeks)

2. A serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves one of the following:
 - a. Inpatient care
 - b. A period of incapacity lasting more than three (3) full consecutive calendar days
 - c. Pregnancy or prenatal care
 - d. Chronic condition requiring multiple or continuing treatment
 - e. Permanent/long term conditions requiring medical supervision
 - f. Any period of absence to receive multiple treatments.
3. Employees are eligible for FMLA if they have been employed with the County for at least one year, and worked 1,250 hours in the previous 12 months.
4. Requests for FMLA must be submitted thirty (30) calendar days in advance when the necessity for leave is foreseeable. To the greatest extent possible, if the necessity for leave is unforeseeable, an employee must request FMLA as soon as practicable. Foreseeable leave should be scheduled so as to minimize disruption to the department's operations.
5. The employee shall be required to provide medical certification from a health care provider in connection with a request for medical leave. Additionally, an employee may be required to provide medical updates from the health care provider during period(s) of incapacity.
6. FMLA may be taken on an intermittent or reduced schedule basis if certified as necessary by the health care provider, and scheduled, if possible, to minimize disruption to the department's operations. All leave designated as FMLA by the employee or employer shall be counted toward the twelve (12) weeks of job protected leave.
7. The Department head or designee may require the use of accrued leave while on FMLA. In the event that an employee is not required to use accrued leave an employee may elect to use accrued leave or take leave without pay. It is the responsibility of the Department Head or designee to track FMLA usage.
8. For the duration of FMLA, the County will maintain the employee's coverage under the group health insurance, and employee is responsible for paying the employee's portion of the health insurance premium.
9. An employee may be required by the Department head or designee to submit a doctor's note to be able to return to work, and failure to submit a doctor's note in a timely manner may delay reinstatement.
10. No employee shall be prevented from returning to work prior to the expiration of the twelve (12) week period. Requests for leave beyond the twelve weeks are subject to regular leave policies with approval determined by the Department head or designee.

The Human Resources Department should be contacted by the Department Head or employee in the event that FMLA is needed in order to confer with the employee on his or her ability to continue working and ability to return to work.

G. Long Term Disability (LTD)

1. Long Term Disability coverage provides basic income protection and is available to full time employees through a voluntary program. Employees must elect to participate in and agree to payroll deductions to pay for the program to receive a benefit.
2. Full Time employees may request long term disability in the event the he or she becomes disabled as a result of physical disease, injury, pregnancy, mental disorder.

Please see the appropriate Summary Plan Description or contact the Human Resources Department for more detailed information.

H. Military Training Leave

1. A regular full time employee who is a member of a reserve force of the United States or the Commonwealth of Virginia and who is ordered by the appropriate authorities *to attend a training program or who is called to emergency duty shall be granted a leave of absence without charge to his personal leave account.* Such leave is not to exceed 15 consecutive calendar days within a calendar year for training and five working days for emergency duty.
2. If the employee's military pay is less than what would have been received by the County the difference shall be paid by the County. If the military pay is greater than the County pay, the County will provide no payment during the period of Military Training leave.
3. An employee who voluntarily or involuntarily leaves employment to undertake military service or certain types of service in the National Disaster Medical System may be re-employed and have health insurance protection in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Please see USERRA for more information.

I. On the job injury

1. In accordance with Section 65.2-509 of the Virginia Workers' Compensation Act, no compensation shall be allowed for the first seven (7) calendar days (including Saturday, Sunday, holidays and does not need to be consecutive) of incapacity resulting from a job related injury or illness.
2. During this seven (7) day period, the employee may use accrued annual, sick, or compensatory leave. If the employee has no leave balance, the employee will be placed in a leave without pay status for the seven (7) day period.
3. If the incapacity extends beyond the initial seven (7) day period, Workers' Compensation benefits (compensation) shall commence with the eighth (8th) day of disability. If such incapacity continues for a period of more than twenty-one (21) calendar days, not including the day of injury, compensation shall be allowed from the first day of such incapacity.
4. Workers' Compensation benefits are provided at the rate of sixty-six and two-thirds (66-2/3) of the average weekly, pre-tax wage of the employee, subject to weekly maximums as approved by the Virginia Workers' Compensation Commission. This amount is not subject to payroll taxes.
5. Employees may supplement the workers' compensation benefit by thirty-three and one-third (33-1/3) using accrued annual, sick or compensatory leave. This supplement will continue until the lesser of the following:
 - a. The injured employee's accrued annual, sick or compensatory leave is depleted.
 - b. Six months (See Section H. Six month Limitation of the Workers Compensation Policy)

J. Short Term Disability (STD)

1. Full Time employees may participate in a voluntary or group short term disability program, in the event he or she becomes disabled if, as a result of physical disease, injury, pregnancy, mental disorder.
2. Provides basic income protection while disabled for a time period as outlined in the policy. A waiting period may be required under the plan before STD benefits become payable.

Please see the appropriate Summary Plan Description or contact the Human Resources Department.

Leave Accrual Tables

Departments who do not utilize the County's leave accrual system

| Sheriff's Office | | | | |
|----------------------|--|-----------------------------------|--|-------------------------|
| <u>Years Service</u> | <u>Vacation Accrual</u> (hours per month) | <u>Max Vac Accrual</u> (hours) | <u>Sick Accrual</u> (hours per month) | <u>Max sick Accrual</u> |
| 0 – 5 | 8.00 | 192 | 8.00 | No limits |
| 5 – 10 | 10.00 | 240 | 8.00 | No limits |
| 10 – 20 | 12.00 | 240 | 8.00 | No limits |
| Over 20 | 14.00 | 240 | 8.00 | No limits |

| Library | | | | |
|----------------------|--|-----------------------------------|--|-------------------------|
| <u>Years Service</u> | <u>Vacation Accrual</u> (hours per month) | <u>Max Vac Accrual</u> (hours) | <u>Sick Accrual</u> (hours per month) | <u>Max sick Accrual</u> |
| 0 – 5 | 8.00 | 192 | 8.00 | No limits |
| 5 – 10 | 8.50 | 204 | 8.00 | No limits |
| 10 - 20 | 10.00 | 240 | 8.00 | No limits |
| Over 20 | 14.00 | 336 | 8.00 | No limits |
| Director only | 13.33 | 320 | 8.00 | No limits |

| Department of Human Services (1.00 FTE) | | | | | |
|---|--|-----------------------------------|---|--|-------------------------|
| <u>Years Service</u> | <u>Vacation Accrual</u> (hours per month) | <u>Max Vac Accrual</u> (hours) | <u>Max Vac Yearly rollover</u> (hours) | <u>Sick Accrual</u> (hours per month) | <u>Max sick Accrual</u> |
| 0 – 5 | 7.50 | 180 | 45 | 9.40 | No limits |
| 5 – 10 | 9.40 | 225 | 45 | 9.40 | No limits |
| 10 – 15 | 11.25 | 270 | 45 | 9.40 | No limits |
| 15 – 20 | 13.13 | 315 | 45 | 9.40 | No limits |
| 20 – 25 | 15.00 | 360 | 45 | 9.40 | No limits |
| Over 25 | 16.90 | 405 | 45 | 9.40 | No limits |

| Department of Human Services (.80 FTE) | | | | |
|--|--|-----------------------------------|--|-------------------------|
| <u>Years Service</u> | <u>Vacation Accrual</u> (Hrs per month) | <u>Max Vac Accrual</u> (Hours) | <u>Sick Accrual</u> (Hrs per month) | <u>Max sick Accrual</u> |
| 0 – 5 | 6.00 | 180 | 7.52 | No limits |
| 5 – 10 | 7.52 | 225 | 7.52 | No limits |
| 10 – 15 | 9.00 | 270 | 7.52 | No limits |
| 15 - 20 | 10.5 | 315 | 7.52 | No limits |
| 20 – 25 | 12.00 | 360 | 7.52 | No limits |
| Over 25 | 13.52 | 405 | 7.52 | No limits |

| Department of Human Services Headstart Teachers & Teacher Assistants | | | |
|---|--------------------------------|----------------------|--------------------------------|
| <u>1.00 FTE</u> | | <u>.80 FTE</u> | |
| <u>Years Service</u> | <u>Annual Leave</u> (hours) | <u>Years Service</u> | <u>Annual Leave</u> (hours) |
| 0 – 5 | 7.50 | 0 – 5 | 6.00 |
| 5 – 10 | 9.40 | 5 – 10 | 7.50 |
| 10 – 15 | 11.25 | 10 – 15 | 9.00 |
| 15 - 20 | 13.13 | 15 – 20 | 10.50 |
| 20 – 25 | 15.0 | 20 – 25 | 12.00 |
| Over 15 | 16.9 | Over 25 | 13.50 |

I. Purpose.

The County recognizes that there will be occasions when employees will have to travel on County business, and does not wish to have these trips be a financial burden to employees. Therefore, the County will reimburse reasonable expenses according to the guidelines published herein.

II. Scope

This policy applies to all employees.

III. Procedures**A. Approval of Expenses**

1. Reimbursement may be granted for mileage, lodging, meals, and other expenses related to official County business when travel is necessary. Only ordinary, necessary, and reasonable expenses shall be reimbursed.
2. Prior authorization must be obtained by the Department Head or designee. Under no circumstances shall an employee approve the reimbursement of their own expenses unless authorized by the County Administrator.

It is the employee's responsibility to report travel expenses in a responsible and ethical manner, and in accordance with the regulations set forth in the Policy.

B. Payment of Expenses

1. Departmental travel cards may be issued to employees who travel on official County business. Any employee issued such a card should use the card to pay for all expenses related to official business travel, including lodging and subsistence, except where the card is not accepted.
2. In the event that the departmental travel card is not accepted, an employee may request that the County be billed directly, if appropriate, or may pay for expenses.
3. All travel expenses, whether paid with departmental travel card or by employee, must be submitted to the Finance Department using the appropriate form. Receipts must be attached to the form, and are required for justification of expenses for which receipts are customarily provided.
4. An employee may be liable for all expenses for which receipts cannot be produced, or for expenses which are deemed as uncommon, unnecessary or unreasonable.

C. Lodging

1. Employees may be reimbursed for overnight hotel accommodations, including applicable tax, when traveling at least fifty (50) miles from Culpeper County. Overnight stays will not be approved for meetings occurring in Charlottesville, or Fredericksburg.
2. Whenever possible, every effort should be made to secure a government or corporate rate. The maximum nightly reimbursable amount will be based in accordance with the Internal Revenue Service (IRS) publication 1542. Any overnight hotel accommodations above the allowable amount shall be the responsibility of the employee.
3. The Director of Finance has the discretion to authorize payment above the maximum reimbursable amount as designated in the IRS Publication 1542 based upon the activity and its location. Prior approval must be obtained in order for additional payment to be granted.

D. Meals & Incidentals

1. Employees may be reimbursed for meals and incidentals (long distance charges, internet access) when traveling at least fifty (50) miles from Culpeper County for official business.
2. Employees shall not be reimbursed for meals for day travel (i.e. an employee is present in the office at the beginning and/or the end of the normal shift) or if travel is less than fifty (50) miles from Culpeper County.
3. The maximum meal and incidental allowance shall be determined by the Finance Department. Any expenses above the allowable amount shall be the responsibility of the employee.
4. Maximum meal gratuity should be no more than fifteen (15%) percent and shall be included as part of the meal and incidental allowance.
5. Individual meal limits shall be applied when a person is traveling at least fifty (50) miles from Culpeper County, but away for less than a whole day and does not incur a cost for three meals as a result of the travel's brevity.
6. Expenses for pay-per-view movies, alcohol, or other uncommon, unnecessary and unreasonable expenses shall be the responsibility of the employee.

E. Mileage

1. Employees may be reimbursed for mileage when using their own vehicle for official County business when traveling at least twenty (20) miles from Culpeper County. Mileage may be reimbursed for traveling shorter distances when travel is determined an essential function of the position.
2. The mileage rate shall be determined by the Finance Department. Any expenses above the allowable charge or for uncommon, unnecessary, or unreasonable mileage shall be the responsibility of the employee.

F. Airline travel.

1. Employees may be reimbursed for coach fare when airline travel is necessary for official County business. All efforts shall be made to secure the most reasonable, economical option available for air travel.

G. Spouse/Dependent Travel

1. In the event that spouses or dependents accompany employees on official County business, all expenses incurred that are related to the accompaniment (meals, incidentals, airline travel) shall be the responsibility of the employee.

I. Overview**A. Purpose**

Promote Information security and protect Culpeper County, Virginia's information and information processing systems. Ensure the confidentiality, availability, and integrity of data; reduce the risk of data loss by accidental or intentional modifications, disclosure, or destruction; and to preserve the County's rights and remedies in the event of such a loss.

B. Scope

This policy applies to:

- All users and others persons and organizations who use County related information or information processing systems,
- All information and information processing systems associated with the Culpeper County, Virginia,
- All information and information processing systems associated with other organizations, which Culpeper County, Virginia uses.

C. Policy Statements

1. County related information is only to be made known to and utilized by authorized individuals for authorized County business, except as otherwise required by law.
2. Electronic data processing equipment and programs developed and/or purchased by/for Culpeper County, Virginia are the property of Culpeper County, Virginia and may only be used for authorized purposes.
3. All County related information; data processing equipment, software and data files must be protected from accidents, misuse and unauthorized alteration. Software and data files must be documented and backed up.
4. Violations of this policy must be reported to the County Administrator and the Director of IT. Violations of federal, state, and local laws will be reported to the appropriate law enforcement authorities. In the case of lost or missing equipment, or software, notification must also be made to the County Administrator.

D. Objectives

1. Ensure the integrity and protection of information and information processing systems.
2. Provide for confidentiality of privileged or sensitive information.
3. Protect information and information processing systems from hazards of fire, water, misappropriation, misapplication, vandalism or other peril.
4. Ensure the IT department's ability to provide services and benefits to its customers.
5. Describe user responsibilities for information security.

E. References

Virginia Freedom of Information Act

F. Responsibilities

1. *Each Person.* Each person who uses County related information must comply with this Information Security Policy. Each person is required to read, sign, and abide by the Culpeper County Information Security Policy (CCISP) Form. (Attachment A) Each person who uses a County related information or information processing system is responsible for reporting violations or suspected violations of the Culpeper County Information Security Policy (CCISP) to their immediate supervisor, department head, County Administrator, or the Director of IT.

Employees who violate the (CCISP) may be subject to discipline under the County's personnel policy. Violations of the policy by others may result in action, which the County deems appropriate under the circumstances. Employees under a constitutional officer, the School Board, or the Department of Social Services, are subject to disciplinary action solely by the agency for which they are employed.

2. *Executive Management* The Board of Supervisors, through the County Administrator, is responsible for assuring that the CCISP is developed and distributed to all County employees, vendors and other persons and organizations that have a need to use County related information and information processing systems. The County Administrator is responsible for final interpretation of this policy.
3. *Operation Management* Each Department, Board or Agency is responsible for implementing, developing and enforcing security procedures within their office that ensures compliance with the CCISP. They are also responsible for reporting violations or suspected violations of the policy to the County Administrator and Director of IT.
4. *Users of County Technology.* Users are responsible for complying with all security policies, and procedures within their agencies. They are also responsible for reporting violations or suspected violations of the CCISP to their immediate supervisor, department head, County Administrator, or the Director of IT.
5. *Security Officers.* The County Administrator or the Director of IT may designate a security officer(s) who are responsible for assisting employees in obtaining access to information processing resources as needed to allow employees to accomplish their daily functions.
6. The Information Security Policy becomes effective on February 5, 2008 and, as amended from time to time, will remain in effect until it is superseded or rescinded by the Board of Supervisors of Culpeper County, Virginia.

II. Security Policies, Requirements and GuidelinesA. Security Administration

1. *Background:* For an information security policy to be effective, a Department Head or Constitutional Officer in each office should assign to an employee within the office the responsibility for security procedures and administering the security program. The individual selected should be cognizant of data processing and information security fundamentals and possess sufficient abilities to implement and enforce information security procedures.
2. *Policy:* All departments of the County's general government and the offices of all Constitutional Officers, the School Board and the Department of Human Services will designate an office security officer or contact person. If anyone other than those persons are designated, then Information Technology must be notified in writing in advance.

3. *Requirements:* All departments of the county's general government and the offices of all Constitutional Officers, the School Board and the Department of Human Services must designate a security officer and backup security officer whose responsibility is to help ensure compliance with the County Information Security Policy.
4. All departments of the County's general government and the offices of all Constitutional officers, the School Board and the Department of Human Services must implement and maintain local information security procedures, which effectively implement the County Information Security Policy and ensure compliance.
5. All departments of the County's general government and the offices of all Constitutional Officers, the School Board and the Department of Human Services should ensure that all of their users of information and information systems are made aware of and receive continuing training on security requirements.

B. Contingency (Disaster Recovery) Management

1. *Background:* Proper internal control for government entities and modern technology principles requires all organizations to have a Contingency Management Plan in place.
2. *Policy:* All departments are responsible for implementing and testing a contingency plan which ensures resumption of critical activities in the event of a business disruption.
3. *Requirements:* The contingency management plan should at the minimum identify the following:
 - The individual(s) responsible for the detailed analysis, planning, documentation and maintenance of the plan.
 - Documentation of each unit's mission, including the organizational, managerial, and technical environment within which their Contingency Management Plan must operate.
 - Assessment of the risk associated with the most probable types of contingencies and identification of cost effective protective measures to be implemented.
 - Assessment of the resources required to implement the contingency management plan.
 - Identification, evaluation, and cost benefit analysis of alternative recovery strategies.
 - Selection of the alternative that best responds to the contingency management requirements.
 - Determine recovery procedures and time frames of execution.
 - The Contingency Management Plan should be tested and adjusted where necessary. A copy of the plan should be stored at a remote site.

C. Authorizing Access to Information and Information Processing Systems

1. *Background:* Authority to access information and information processing systems must be evidenced. Properly completed and approved computer access request forms serve as evidence that the user has the authority to access specific information and information processing systems.

2. *Policy:* Management is responsible for authorizing individuals they supervise to access information. Some information processing systems modules may also require approval of other department heads or Constitutional Officers.
3. *Requirements:* Officers, managers and supervisors who are authorized to request access to information and information processing must report the names and system access levels for individuals to the Director of IT.
4. The Computer System Access Request Form (Attachment B) must be completed and a copy retained by the unit. The original must be retained by the Information Services Department. If an individual's access needs to be changed new forms must be completed. The Director of IT will make the necessary forms available to the respective departments.
5. The Information Agreement (Attachment A) must be completed for all users of County related information or information processing systems.

D. Physical Security – Information

1. Normally, there are three circumstances in which information is at risk of disclosure:
 - When the information is stored on a computer system,
 - When information is being transferred to another system (on network),
 - When information is stored on backup tapes.
2. File permissions, access control lists, and other control mechanisms can control the first two instances listed above. Limited access to the backup tapes (exp. by locking them in a fireproof safe and storing off site) and use of encryption is another protective mechanism.
3. *Background:* County related information is regarded as an asset of the County. As such, it is afforded a level of control and protection commensurate with its value and sensitivity to the County, department, office and citizen.
4. *Policy:* County related information is only to be made known to and used by authorized individuals for authorized purposes and must be protected against unauthorized use, theft, vandalism, or other peril.
5. *Requirements:* All information, regardless of the medium, that contains client specific information is considered confidential and must be restricted to personnel who are authorized to use the Information.
6. Use/disclosure of client, financial and statistical information shall only be made by individuals who have the authority to do so.
7. Information provided by internal or external sources can only be made available to personnel who have been identified by the owner of the data as having a need to know.
8. Confidential information must be protected from unauthorized access at all times.
9. Confidential information should be properly disposed of when it has reached its retention date or when the owner of the data determines it is no longer needed. The retention of financial, statistical and client information must comply with the Virginia State Library and Archives, Records Retention and Disposition Schedule.

E. Physical Security – Information Processing Systems and Equipment

1. *Background:* Information processing systems and equipment are department assets and must be afforded a level of security commensurate with its value.
2. *Policy:* Information processing and equipment must be protected against unauthorized use, theft, vandalism fire/smoke/water damage, misappropriation, misapplications, or other peril.
3. *Requirements:* Only authorized personnel users are to be permitted use of information processing systems and equipment.
4. Computer equipment and programs should be located in areas, which afford protection from disasters. Computer equipment and programs must be inventoried annually as part of Finance's fixed assets.
5. *Guidelines:* Computer equipment, software and documentation should be located in areas that have restricted access and can be monitored.
6. Portable computer equipment (i.e. Laptop, blackberries, mobile devices, PDA's) should be secure when not in use.

F. Passwords

1. *Background:* An effectively implemented password control systems can limit access to information systems to authorized personnel. To be effective, passwords should be changed frequently, they should not be shared nor disclosed and they should not be written down or easily guessed.
2. *Policy:* Individual passwords must be used to control access to information processing systems. Accessing any network resource under another user's id and/or password is prohibited, unless specifically authorized.
3. *Guideline:* Each individual granted authority to access information processing systems should be assigned a unique logon ID which will require a password for access. Exemption may be granted by Information Technology for unique accounts on an as need basis.
4. The password should be a series of characters and numbers that is only meaningful to the individual. All passwords will be a minimum of six (6) characters in length and must contain at least one number or character.
5. Passwords should not be the names of family members, pets, friends or associates.
6. Passwords should not be a series of repeating or sequential characters nor should they be Social Security or telephone numbers.
7. Passwords should be changed every ninety (90) days.
8. Passwords should not be written or stored in a manner accessible to others.
9. Individuals are responsible for ensuring their password is kept confidential and should immediately report its suspected compromise or unauthorized use to their immediate supervisor.

10. Uses of mobile devices, i.e. blackberry devices, are encouraged to follow the same password policy. If any mobile device is lost or misplaced, Information Technology should be notified immediately so that deactivation can be implemented until such time as the unit is recovered or the lost unit is replaced.

G. Backing up Information

1. *Background:* Disasters do not have to be fires, floods, and tornados to cause a major disruption in the County's ability to conduct business. The accidental loss of information on personal computers, floppy disks, cd's etc. is far more common than natural disasters. An effective backup system (for personal computers, local area network, servers and the County's AS400 based central system) is one of the best ways of assuring the ability to recover after a disaster.
2. *Policy:* Electronic information (data files) stored on the County's mainframe and user data stored on the local area network should be backed up daily and stored off site at least weekly by the Information Technology Department.
3. Data files stored on individual personal computers should be backed up in direct relation to its uniqueness, critical nature and difficulty in recreating, on a regularly scheduled basis determined by the end-user.
4. *Guidelines:* The more important information is to a priority function, the more frequently it should be backed up.
5. Information that is costly, time consuming or would be impossible to reconstruct should be backed up frequently.
6. A backup copy of important information should be routinely rotated off site. Off site storage locations should be designated and approved by the Director of IT.
7. Backups should be retained until newer backup renders the older backup obsolete.

H. Illegal Copying

1. *Background:* The unauthorized duplication of software, manuals and other materials is theft. These products reflect a substantial investment of time, talent and money by the author and developer. Unauthorized duplication deprives the developers of fair compensation.
2. *Policy:* The duplication of software, manuals, or other materials in violation of copyright laws and vendor licensing agreements is strictly forbidden. Infractions of this policy will result in disciplinary action under the County's Personnel Management Plan as well as potential civil and criminal penalties.
3. *Requirements:* Violations of this policy must be reported to either the County Administrator, Director of IT, Department Head, Constitutional Officer, School Board designee, or Department of Social Services designee. Violations of federal, state and locals laws will be reported to the appropriate law enforcement authorities. In all cases, the Director of IT must be advised to insure that no compromise of County IT systems have occurred or will occur.

I. Using Personal Software on County Computers

1. *Background:* Culpeper County, Virginia discourages the use of an employee's personally owned software on County owned computers; however, it is recognized that there may be a need for limited use of such software for the efficient operation of certain functions.

2. There are two primary concerns which this policy addresses:
 - Approved personal software may only be used in accordance with copyright laws and license agreements. Personal software includes and but is not limited to screen savers, Quicken, Peachtree, etc.
 - Personal software must not be used to produce mission critical data and reports. Such may lead to extra work for others should the personal software stop working, be removed from the personal computer or the individual knowledge or its use becomes unavailable. If a software package is necessary to perform a required task, County purchase may be appropriate and purchase procedures should be initiated.
3. *Policy:* Culpeper County, Virginia, allows the use of personally owned software on/County Personal computers' providing the software is:
 - Used in accordance with copyright laws and the licensing agreement of the company that produced the software;
 - Required to perform business related activities; and
 - Approved for use in writing by the Director of IT.
4. This policy applies to commercially produced software, shareware, public domain software and freeware.
5. The installation of personal software onto either the County's local area network, servers, the County's AS400 based central system is strictly forbidden unless authorized by the Director of IT.
6. *Requirements:* If the software license allows the use of the personally acquired software on a home computer and an office computer, it may be used on County government computers if approved by the Director of IT.
7. If the software license allows the use of the software on one computer only, then it may not be installed on more than one computer at one time.
8. Users must have in their possession the original diskettes/cd's and software documentation provided by the vendor and proof of purchase, i.e. receipt.
9. The "Request to User Personal Software on Department Computer". (Attachment C) must be completed to demonstrate management approval and should be retained by the Information Services department.

In no instances may a user without advanced approval of the staff from the Information Services department, install or delete software.

J. Using Personal Hardware on County Computers or Network

1. *Background:* Personal hardware of any type is prohibited from being used or attached to the County network, servers, data connections, etc. via hard wire or wireless methods.
2. *Requirements:* Only hardware purchased through approved a County acquisition process and approved by the Information Technology Department is allowed to be connected to County network including but not limited to routers, laptops, PDA's etc., whether they be wired or wireless.

K. Anti-Virus Software

1. *Background:* The availability of departmental data is paramount to the successful completion of the County's mission. Personal computer viruses may proliferate at a staggering rate and the potential for infection increases daily. Department information processing systems must remain virus free at all times.
2. *Policy:* County approved anti-virus software must be installed and must be operational on all personal computers, laptops, mobile devices and servers that access County information or information processing system.
3. *Requirements:* All personal computers, laptops, mobile devices and servers that access County information or information processing systems must have anti-virus software (approved by the Director of IT – County standard) installed and it is the responsibility of the user to allow the daily updates and scans to run without interruption. Tampering or attempting to tamper with default settings is forbidden.

L. Information Systems – Development and Change Control**Mainframe Systems (AS400)**

1. *Background:* The County's information systems have been established to provide support for its several missions. It is imperative that any changes to these systems be authorized and be performed in a controlled manner.
2. *Policy:* Information system development must implement standards for development consistent with IBM-AS400 operating platforms.
3. *Requirements:* County System Development Methodology (SDM) must be formalized and documented to provide uniform guidance to systems and programming staff on system development and maintenance activities.
4. Initiation and approval of system development and maintenance projects will be recommended by the Director of IT and approved by the County Administrator.
5. Development and maintenance projects must have approved work plans with appropriately detailed tasks and timetables.
6. Only properly tested, documented and approved systems and modifications will be implemented.
7. The Director of IT should keep the County Administrator advised on a regular basis of all system development activities.

Personal Computer Based Systems

1. The County encourages its employees to be creative and seek better ways to satisfy their information needs. Documentation, testing and approval requirements must be observed when a single user develops applications such as spreadsheets, data bases, fourth generation languages, query languages processors, report writers, etc. that use information or produce information used in decision-making or financial/statistical reporting.
2. *Policy:* Personal computer systems other than single user applications using County information or producing information used in decision-making or financial/statistical reporting must be documented, tested and approved

3. *Requirements:* Required documentation for other than single user applications includes a description of the application to include its: author, purpose, inputs, outputs, processes, calculations, controls, security, interfaces with other systems/processes, execution instructions, run schedule, error/exception handling, intended user and information retention.
4. Documentation must be of sufficient detail to provide someone other than the developer enough information to maintain and run the application.
5. The accuracy of the application as to outputs, processes, calculations, controls, security, execution instructions, run schedule, error/exception must be verified in writing by someone other than the developer.
6. Responsible management must review and approve the application prior to implementation.

M. Networks

1. *Background:* The County operates a local area network which connects the County Departments and agencies together. This local network is the primary network vehicle through which departmental information and system resources are shared.
2. *Policy:* Adequate controls ensuring the security and integrity of the networks which access County related information and information systems must be implemented and functioning.
3. *Requirements:* The County's Network/System Administrator is to coordinate and manage network activities.
4. The Network Administrator must approve all software programs before being loaded into any of the County's servers, workstations, clients or devices. Program files (e.g. exe, dll, bat and other executable files) are not to be written to any network drives unless authorized in writing by the Network Administrator.
5. All programs and data must be scanned by the department's anti-virus software before being introduced into the network.
6. Servers shall be backed up on a frequency sufficient to permit timely recovery and minimal disruption. Weekly, full backups must be performed for each server. On a daily basis, incremental backups should be performed.
7. No unauthorized access to the network via any method is permitted, included but not limited to VPN technology, hardware devices, remote control or any other unauthorized methodology is prohibited.
8. Sufficient backups must be stored off-site to ensure safety of media.

N. Internet

1. *Background:* County staff is encouraged to use the Internet to further the County's mission and provide effective services of the highest quality to our citizens, discover innovative and creative ways to use resources and improve our services and promote staff development. However, in conjunction with the Culpeper County Information Security Policy (CCISP) County users need to remember that:
2. Technical attacks can be made against County Information Systems via the Internet.

3. Internet access opens an information conduit by which sensitive, and potentially private information could be released onto the open networks and to the world.
4. The Internet is not a secure environment and users should assume that whatever they are doing is being monitored both internally as well as by individuals with interest in compromising the County.
5. User activities are traceable to the County and the user.
6. *Policy:* This policy (CCISP) applies to all users, other persons and organizations and agencies. If management allows their staff access to the Internet, this policy and the following requirements should be considered minimal requirements.
 1. County staff (users) may use the Internet for direct job related purposes, professional contacts and career development activities. Incidental personal use is tolerated; however, excessive use or recurring personal use is forbidden.
 1. County users are to be guided in their Internet use by the Code of Virginia, 2.2-2827. (Attachment D)
7. Forbidden acts:
 1. Use of facilities and/or services for illegal, wrongful or commercial purposes.
 2. Visiting Internet sites proscribed by the Code of Virginia, 2.2-2827.
 3. The willful introduction of computer viruses or other disruptive/destructive programs into the County's network or into external networks.
 4. Intentional attempts to "crash" network systems or programs.
 5. Use of system and/or networks in attempts to gain unauthorized access.
 6. Use of system and/or networks for purposes of snooping, probing, or otherwise connecting to a node or nodes in a manner, which is deemed, not to be of an authorized nature.
 7. De-crypting system or user passwords, key logging or attempting to gain access to another user's account without authorization.
 8. Downloading files without County approved anti-virus software being active.
 9. Uploading, downloading, modifying or removing files on any node in the network for which such action is not authorized.
8. *Requirements:* Users must be authorized to use the Internet, comply with all stated policies and will be held accountable for their activities.

O. Electronic Mail (E-mail)

- A. *Background:* County staff is encouraged to use E-mail for transmitting mission related business messages. E-mail is transmitted over the County's network; therefore, these transmissions are relatively secure because they do not go through any non-department servers. E-mail sent to the Internet however, is not secure because the number and location of servers, which handle the e-mail traffic, are unknown and out of the County's control.

- B. *Policy:* All information pertaining to the County and others who do business with the County that is transmitted via e-mail are considered property of the County.
- C. *Requirements:* Only County approved e-mail systems and network may be used to transmit information pertaining to the County and others who do business with the County.
- D. Only authorized individuals may send information pertaining to the County and others who do business with the County over the Internet.

P. Computer Games

- 1. *Background:* Computer games shall not be played on County owned computers and/or on County time.
- 2. *Policy:* Computer games shall not be loaded or played on County owned computers. Computer games are not to be played on County time or equipment. All games found on the Internet are included in this policy.
- 3. *Requirements:* Same as Policy. Violations of this policy will be subject to disciplinary procedures.

Security Policy Dictionary

Access – The ability to view, change or communicate with computer system. Access includes execution of programs, reading and writing to files and deleting files or data.

ADP – Automated Data Processing

AS400 – IBM computer housing the County's central computer software system.

Authorized Individual – Person granted the ability to access departmental information.

Backup – The copying of information to a medium from which it can be restored if the original is destroyed or damaged. Full backups copy all data in the system. Incremental backups copy only the information that has been changed since the last full backup.

CCISA- Culpeper County Information Security Agreement A notarized agreement between the Culpeper County and anyone who has access to County information or information processing systems, to maintain confidentiality of County (and other agencies) information and to only use this information or system for authorized purposes.

CCISP – Culpeper County Information Security Policy

Confidentiality - Ensuring that information is disclosed to authorized individuals only.

Contingency Management – Administration of a plan for responding to emergency situations. The plan includes performing backups, preparing critical facilities that can ensure continuity of operations in the event of an emergency. It is synonymous with disaster recovery plan.

Customer – Person requesting benefits and/or services from the County.

E-mail or Electronic Mail – Personal communications consisting of memos, letters, files, invoices or video sent over computer networks. When public networks (e.g. The Internet) are used the sender has no control over message routing; therefore, Internet traffic is not secure. When private networks are used (e.g. DSSP, GroupWise, Exchange) the traffic is more secure.

Freeware - Copyrighted software given away for free by the author. Although it is available for free, the author retains the copyright, which means that you cannot do anything with it that is not expressly allowed by the author. Usually, the author allows people to use the software, but not sell it.

Guidelines –Statements or rules created to allow the development or local procedures to comply with security policy.

Integrity – Ensuring information is changed in a specified manner. Maintaining information in what is considered to be an accurate and correct format.

Internet – A confederation of autonomous networks distributed among public, military, academic, private and corporate sites that are interconnected via an open communications protocol known as TCP/IP. The Internet is an interconnected group of individual computers and networks around the world.

Intranet – Networks which utilize the World-Wide Web technologies but which are limited to a single company or organization. Intranets are used to distribute information within an organization using

resources developed for the Internet, but without regard to security concerns associated with Internet connectivity.

Personal Software – Software not provided by the County, office or agency.

Physical Security - Protection of computer systems and related buildings and equipment from fire, natural disaster, environmental hazards and intrusion. The use of locks, keys and administrative measures control access to computer systems and facilities.

Policy – A high level plan identifying the County's philosophy regarding its information and information processing systems.

Public Domain Software – Software that is available free of charge to anyone. Registration is usually not required.

Requirements – Actions that must be included in the security procedures.

Resources – Items having operational, monetary or material value owned leased or under care and custody of the department.

Risk – The vulnerability of a particular threat to exploit and information resource's availability

Sensitive Information – Information that, if lost or comprised would negatively affect the ability of the department to provide service and benefits to its customers (e.g. confidential information about recipients of County benefits or services).

Shareware - Software which may be copied and provided to anyone for evaluation purposes only. If the shareware is to be used it must be registered and a fee paid to the developer in accordance with the licensing agreement.

VPN - Short for *virtual private network*, a network that is constructed by using public wires to connect nodes.

World-Wide Web (WWW) – A network of servers that users hypertext links to find and access files on the Internet. Web browsers allow you to view documents on servers around the world by knowing where the information is stored.



Culpeper County, Virginia Information Security Agreement

As a user of Culpeper County, Virginia, computer network, internet, intranet, e-mail, computers, servers, laptops, mobile devices, IBM AS-400 computer system and all software, I understand and agree to abide by the following terms governing my access to and use of the processing services.

1. The County Administrator has granted me access to Culpeper County's computer system as necessary to perform my authorized job functions.
2. I am prohibited from using or knowingly permitting use of any entrusted or assigned access mechanisms (such as login ID's, passwords, terminal ID's, user ID's) file protection keys or production read/write keys) for any purpose other than those required to perform my authorized job functions.
3. I am prohibited from using or knowingly permitting use of my passwords or User ID for any purpose other than that required performing my authorized job functions.
4. In my authorized job functions, when I require access to information on computer systems not owned by the County, I must obtain authorized access from the owning agency through the normal security channels.
5. Unless the County Administrator or his designee authorizes me, I will not disclose any privacy protected data or information about any access control mechanism, or use any access mechanism, which has not been expressly assigned to me. For purposes of this agreement, the County Administrator's designee includes the Director of IT, Department Head, Constitutional Officer, School Board designee, and Department of Social Services designee.
6. I agree to abide by all applicable federal, Commonwealth of Virginia, and Culpeper County policies, procedures and standards that relate to the security of computer systems and the data contained therein.
7. I understand that I am prohibited from using or attempting to add any hardware or software to any County system(s) or connections without the written permission of the Department Head or Constitutional Officer, and the Director of IT.
8. If I observe any incidents of non-compliance with the terms of this agreement, I am responsible for reporting them to the County Administrator, the County's Director of IT, Department Head, Constitutional Officer, School Board designee, or Department of Social Services designee, who will notify the appropriate authorities.
 - a)
 - b) By signing this agreement, I hereby certify that I understand the preceding terms and provision and accept the responsibility of adhering to the same. I further acknowledge that any infractions of this agreement will result in disciplinary action, including loss of access privileges and termination of employment. Employees under a constitutional officer are subject to disciplinary action solely by the agency for which they are employed.

Employee Name (Print)

Date

Employee Signature

Date



Culpeper County, Virginia
c) Computer System Access Request

This form must be completed by Department's Authorized personnel/or security officer and forwarded to the Director of IT for anyone requiring access to Culpeper County's Information Systems. Please attach copy of signed Information Security Agreement (Attachment A) for additions.

Date Effective Date _____ (Provide 1 week lead time)

Circle One: **Add** **Change*** **Delete***

- LOGON ID (s) _____
Adds will be assigned by IT

USER'S FULL NAME _____

TITLE/POSITION _____ PHONE: _____

DEPT/OFFICE _____

ACCESS REQUIRED: To be completed by user's supervisor or departmental security Officer

(Circle all that apply)

AS400 LAN INTERNET E-MAIL INTRANET MOBILE DEVICES

REMOTE DIAL IN CAD RMS FILE SERVER GIS

User Signature/Date: _____

Authorizer/Signature/Date: _____

Director of IT _____ Date: _____

RETURN COMPLETED FORM TO THE COUNTY DIRECTOR OF TECHNOLOGY & APPLICATIONS



Culpeper County, Virginia Access Request Form
Commonwealth of Virginia
Culpeper County, Virginia

Employee and Consultant Information Security Agreement

I understand that the Culpeper County, Virginia related information is only to be made known to and utilized by authorized individuals for authorized County purposes, except as otherwise required by law.

I understand that data processing equipment and application programs developed by or purchased by/for the County may only be used for authorized purposes.

I understand that all County related information, data processing and telecommunications equipment, networks, software and data files must be protected from accidents, misuse, and unauthorized disclosure.

I understand that passwords and file protection keys are confidential and are not to be revealed to anyone who does not require them in the normal performance of their duties.

I agree not to create, execute or place into production any unauthorized programs, runs or transactions. I further agree not to view or update County related information outside my specific area of responsibility, unless specifically authorized to do so.

By signing this agreement, I hereby certify that I have read and understand the County Information Security Policy and the statement above and agree to abide by them. I understand that ANY violations of the County Information Security Policy or the statements above may result in disciplinary action. Criminal or civil action may be undertaken if I knowingly and intentionally use any County related information, information processing systems or equipment for fraudulent, extortion or destructive purposes. Furthermore, I understand it is my responsibility to report any County Information Security violations or suspected violation to County management and/or security staff.

Executed this _____ day of _____, 20__

Print Employee/Consultant Name

Signature

This instrument was acknowledged before me this ____ day of _____, 20__

By _____
Print Witness Name

Signature



Request to Use Personal Software on County Computers
Commonwealth of Virginia
Culpeper County, Virginia

POLICY SUMMARY: Culpeper County recognizes the need for the limited use of personal software (software not owned or provided by the County) for efficient operation of certain County functions. The County allows the use of personally owned software on County personal computers providing the software is:

- Used in accordance with copyright laws and the licensing agreement of the company that produced the software:
- Original diskette/cd, license and documentation of software is provided to Director of IT,
- Required to perform County business related activities; and
- Approved for use in writing by the Director of IT.

This policy applies to commercially produced software, shareware, public domain software and freeware. The use of personal software or information processing systems connecting to the County's AS400 and local area networks is strictly forbidden unless authorized in writing by the Director of IT.

Violations of this policy will result in disciplinary action.

1. User Name: _____
2. Department/Office/Agency: _____
3. Location: _____
4. Application Program Name: _____
5. Date Installed: _____
6. Reason Software is required: _____

I acknowledge that I have read and understand the Policy Summary above and that this request is in compliance with the County's policy related to the use of personal software.

Requestor Signature/Date: _____

Approval Signature/Date: _____

Culpeper County, Virginia

Virginia Statute Section 2.2-2827

§ 2.2-2827. Restrictions on state employee access to information infrastructure

A. For the purpose of this section:

"Agency" means any agency, authority, board, department, division, commission, institution, public institution of higher education, bureau, or like governmental entity of the Commonwealth, except the Department of State Police.

"Information infrastructure" means telecommunications, cable, and computer networks and includes the Internet, the World Wide Web, Usenet, bulletin board systems, on-line systems, and telephone networks.

"Sexually explicit content" means (i) any description of or (ii) any picture, photograph, drawing, motion picture film, digital image or similar visual representation depicting sexual bestiality, a lewd exhibition of nudity, as nudity is defined in §[18.2-390](#), sexual excitement, sexual conduct or sadomasochistic abuse, as also defined in §[18.2-390](#), coprophilia, urophilia, or fetishism.

B. Except to the extent required in conjunction with a bona fide, agency-approved research project or other agency-approved undertaking, no agency employee shall utilize agency-owned or agency-leased computer equipment to access, download, print or store any information infrastructure files or services having sexually explicit content. Agency approvals shall be given in writing by agency heads, and any such approvals shall be available to the public under the provisions of the Virginia Freedom of Information Act (§[2.2-3700](#)).

C. All agencies shall immediately furnish their current employees copies of this section's provisions, and shall furnish all new employees copies of this section concurrent with authorizing them to use agency computers.

(1996, c. 382, §§ 2.1-804, 2.1-805, 2.1-806; 1999, c. 384; 2001, c. 844.)

I. PURPOSE

It is the objective of the Board of Supervisors that all County employees receive benefits provided by the Virginia Workers' Compensation Act upon suffering a compensable work-related injury or illness (occupational disease).

II. SCOPE

This policy applies to all employees.

III. DEFINITIONS

- a. Injury - An injury is defined as an injury by accident arising out of and in the course of employment.
- b. Occupational Disease - An occupational disease is defined as a disease arising out of and in the course of employment, but, unless otherwise provided by the Virginia Workers' Compensation Act, not an ordinary disease of life to which the general public is exposed outside of employment.
- c. Workers' Compensation - Workers' Compensation is defined as a type of leave from employment which results from an employee's incapacity to work, and which has been determined to have resulted from an injury or occupational disease such that the employee is entitled to benefits required by the Virginia Workers' Compensation Act.

IV. PROCEDURES**A. Responsibilities****1. Employees - Employee responsibilities are as follows:**

- a. Report any job related injury or illness to the supervisor immediately and complete the required forms.
- b. If medical treatment is needed, select a physician from the County approved list of designated physicians. In the event of an emergency requiring immediate medical treatment employees should obtain treatment at the nearest medical facility.
- c. Notify the physician selected that all reports and bills are to be sent to the attention of the Human Resources Department.
- d. Cooperate with the insurance carrier's claims representative during the investigation of the claim.
- e. Cooperate with the insurance carrier's claims representative during the continued handling of the claim, including supplying additional information as necessary and keeping appointments for scheduled medical evaluations.
- f. Keep the department supervisor advised of disability status while out on injury leave.
- g. Cooperate with the Patient Advocate and return to work efforts.

2. Department Head or Designee - Department responsibilities are as follows:

1. Ensure all employees within the department are aware of procedures, changes, and regulations regarding Workers' Compensation.
2. Submit required and completed forms to the Human Resources Department.
3. Forward all medical bills or other correspondence received from an employee, physician, or medical care facility to the Human Resources Department.
4. Notify the Human Resources Department immediately when an employee is able to return to work either in a light duty or full duty capacity.
5. Cooperate with the insurance carrier during investigation of claims and assist in back-to-work, light duty and vocational rehabilitation programs.

3. Human Resources Department Human Resources Department responsibilities are as follows:

1. Develop and manage the County Workers' Compensation Claims program.
2. Maintain records of all Workers' Compensation claims sent to the claims service company.
3. Monitor the progress of all Workers' Compensation claims handled by specific insurance companies and, where necessary, provides status reports to departments.
4. Assist departments with Workers' Compensation claims processing and coordination of the employee's timely return to light, restrictive, or regular duty.
5. Answer questions and respond to inquiries regarding Workers' Compensation claims.
6. Human Resources does not approve or deny employee claims. The County's insurance carrier, VMGSIA, makes the determination.

B. County Designated Physicians

1. Section 65.2-603 of the Virginia Workers' Compensation Act requires that injured employees chose a physician from a panel selected by the employer.

2. Employer authorized physicians and medical treatment facilities must be used at all times by employees receiving treatment for job-related injury/illness.
3. Exception to employer authorized physicians and medical treatment facilities may be made in the case of an emergency requiring immediate medical treatment that occurs outside of normal working hours.
4. Failure to secure treatment from an authorized physician could result in a denial of benefits.
5. Any change in treating physician requires approval of the individual insurance carrier prior to treatment.

C. Second Opinions and Changes of Physicians

1. Employees receiving medical treatment for a compensable injury or illness may request a second medical opinion or a change in treating physician by contacting the individual insurance carrier and requesting prior approval.
2. If an employee obtains a second medical opinion or seeks treatment from a physician not on the County's Panel without prior approval of the insurance carrier, the employee will be responsible for the cost of such treatment.

D. Salary/Wage Benefits

1. In accordance with Section 65.2-509 of the Virginia Workers' Compensation Act, no compensation shall be allowed for the first seven (7) calendar days (including Saturday, Sunday, holidays and does not need to be consecutive) of incapacity resulting from a job related injury or illness.
2. During this seven (7) day period, the employee may use accrued annual, sick, or compensatory leave. If the employee has no leave balance, the employee will be placed in a leave without pay status for the seven (7) day period.
3. If the incapacity extends beyond the initial seven (7) day period, Workers' Compensation benefits (compensation) shall commence with the eighth (8th) day of disability. If such incapacity continues for a period of more than twenty-one (21) calendar days, not including the day of injury, compensation shall be allowed from the first day of such incapacity.

4. Workers' Compensation benefits are provided at the rate of sixty-six and two-thirds ($66\frac{2}{3}$) of the average weekly, pre-tax wage of the employee, subject to weekly maximums as approved by the Virginia Workers' Compensation Commission. This amount is not subject to payroll taxes.
5. Employees may supplement the workers' compensation benefit by thirty-three and one-third ($33\frac{1}{3}$) using accrued annual, sick or compensatory leave. This supplement will continue until the lesser of the following:
 - a. The injured employee's accrued annual, sick or compensatory leave is depleted.
 - b. Six Months (See Section H. Six-Month Limitation)

E. Return to Work/Modified Duty

1. An injured employee must return to work as soon as he/she is released for regular, restrictive, or light duty by the treating physician.
2. A Physical Capacities Form must be completed by the treating physician and submitted to the Human Resources Department prior to the employee returning to regular, restrictive or light duty.
3. If the return to work is restrictive or light duty, then the Human Resources Department has the option to submit to the attending physician a copy of a proposed light duty job description for approval.
4. The employee shall not be permitted to perform light duty unless approved by the attending physician.
5. Employees on light duty assignment may return to their regular duties upon receipt of a Physical Capabilities Form signed by the employee's attending physician attesting to the employee's physical and mental fitness to resume regular duties.

F. Light Duty Assignment

To minimize the County's losses and bring a productive employee who has been injured on-the-job back to work as soon as possible. The County will benefit directly by decreasing time-loss compensation to out of work employees. Thus, by paying an employee to do light duty, the County can immediately reduce the cost of that employee's time-loss by 50% or more.

1. Whenever an injured or ill employee is temporarily unable to return to his/her regular duty, but is considered medically fit to perform less strenuous tasks, efforts shall be made by the Human Resources Department in consultation with the employee's department head or designee to find a light duty assignment for that employee.
2. The modified/light duty position for the employee may offer modified duty at a reduced rate and modified duty at a reduced number of hours.
3. Such an assignment may not necessarily be in the employee's regular department.
4. Fitness for light duty assignment shall be coordinated with the treating physician and shall be such that accommodates identified restrictions.

5. During the period of light duty assignment, no employee shall be permitted to work more than their normal working hours.
6. A light duty assignment shall not be made in any case where there is no possibility of full recovery. Proper medical certification shall be utilized in arriving at this decision.
7. If an employee expresses a desire to return to light duty or if a supervisor has any information that the employee may be able to return to work and has not, and has not expressed a willingness to do so, he/she should contact the Department of Human Resources at once. The Human Resources Department, if felt warranted, will request an investigation be made by the claims representative and/or rehabilitation nurse.
8. If the investigation by the claims representative and/or rehabilitation nurse indicates that a return to light duty appears to be warranted, then the Department of Human Resources shall submit to the attending physician a copy of the proposed light duty job description for approval. The employee shall not be permitted to perform light duty unless approved by the attending physician. Light duty may be a reduction in hours spent performing those duties typically associated with the employee's regular classification, or, the employee may be assigned to a completely different job classification with no adjustment in salary or benefits during this time.
9. Light housekeeping, stock reorganization, inventory, operating the mail machine, filing, answering the telephone, typing, and other jobs of this sort can be accomplished by most light duty employees. If the employee is offered a job and the job is approved by the attending physician, that employee must accept light duty work.
10. If an employee has a decreased average weekly wage after returning to work in a modified, light duty or part-time job, the employee is entitled to workers compensation benefits. The amount payable is 66-2/3 percent of the difference between the pre-injury average weekly wage at the time of the accident/injury and the gross wage he/she earns after the accident/injury.
11. The employee who returns to light duty is monitored closely by a supervisor. The supervisor should take time to reinstruct the employee on safety procedures and good work practices.
12. Employees on light duty assignment can return to their regular duties upon receipt of a report signed by the employee's attending physician attesting to the employee's physical and mental fitness to resume regular duties. The report will be submitted to the Human Resources Department before the employee resumes regular duties.

G. Family and Medical Leave Act (FMLA)

1. Injuries or illnesses approved by workers' compensation generally meet the eligibility for FMLA.
2. An absence due to workers' compensation will be charged to the employee's annual 12-week entitlement to FMLA benefits, providing the employee meets the definition of eligibility as listed in the current version of Regulation 4835, Family Medical Leave.

H. Six Month Limitation

1. Employees who have not returned to work within six (6) months after a compensable work-related illness or injury shall be placed on leave without pay status or terminated.

2. Employees may apply for disability retirement if they meet the eligibility requirements established by the Virginia Retirement System.

I. Claim Denials**1. Leave Time**

- a. If a claim is denied, the employee shall be charged sick leave for all work time for which the employee was absent.
- b. Compensatory leave, annual leave, or leave without pay shall be used if sick leave is exhausted.
- c. If the employee has no accumulated leave, the Human Resources Department shall make arrangements with the employee to repay any compensation advanced.

2. Letter of Denial

- a. If an employee receives a letter of denial from the insurance carrier, there are two courses of action that may be pursued:
 1. Forward the letter along with the proper forms to the employee's health insurance carrier.
 2. File a request for a hearing with the Virginia Workers' Compensation Commission. The Commission's address will be provided in the letter of denial.

J. Workers' Compensation Appeal

1. An employee has the right to appeal denial of workers' compensation coverage to the Virginia Workers' Compensation Commission.

K. Limitations and Exclusions

1. Not all injuries that occur during work hours are compensable under the definitions provided by the Virginia Workers' Compensation Commission.
2. An employee receiving workers' compensation wages is prohibited from engaging in activities that may impair his or her recovery, such as strenuous recreational or other physical activities, without approval of the authorized treating physician and notification to the third-party administrator.
3. Failure to report such activities may affect benefits from workers' compensation.

IV. COUNTY OF CULPEPER VEHICLE POLICY

POLICY STATEMENT

The County of Culpeper is dedicated to the safety of its citizens and employees and seeks to establish uniform procedures governing the use of all county-owned or leased vehicles, and establish requirements for employees using their own vehicles to conduct county business. Vehicles are defined as passenger vehicles, trucks, vans, as well as all tractors, construction, service or maintenance vehicles, golf carts and off-road vehicles. The goal of the County is to ensure that people who are driving in some capacity for the County of Culpeper have the legal ability to do so, and that the County of Culpeper is protected from any legal liability.

Each employee is a representative of the County to the citizens. As such, the county desires that the county vehicles be well maintained, be kept clean and in good working order, and that the driver shall comply with all traffic laws and ordinances. Employees and volunteers shall operate their vehicles with the utmost safety and shall drive defensively to prevent accidents, regardless of the incorrect actions of others.

The County of Culpeper attaches herein a set of procedures to be followed. While the policy is adopted by the Board of Supervisors, and may only be changed by a vote of said Supervisors, the procedures established are administrative, and may be amended as necessary in the estimation of the County Administrator, or his/her designee.

Additionally, this policy and the attendant procedures apply to all drivers of County owned, leased vehicles, and use of personal vehicle being used in the conduct of County business, whether governed by the County's Personnel Management Plan or not.

I. PURPOSE:

To provide general guidelines for the operation of vehicles being used in the conduct of County business. This procedure shall apply to all who operate or may operate motor vehicles owned or leased by the County of Culpeper, and/or who drive their personal vehicles when conducting County business.

Exceptions may occur, and these will be handled on a case-by-case basis by the Department Director, Constitutional Officer, or Agency Head directly through the County Administrator's office.

II. PROCEDURE:

1. Authorized and Unauthorized Use: The following examples are for general guidance only and should not be considered as an attempt to cover all circumstances or conditions of use:
 - a. Authorized Use.
 - i. County vehicles are authorized "For Official Use Only." Such vehicles are to be utilized to perform the functions and conduct the operations and programs of the Department or Agency which is using the vehicle. When such official use includes the transport of non-employees, such transport is approved. County vehicles may be utilized both within and outside of the County for official use. Anyone may be reimbursed for the use of their private vehicle when such vehicle is used in the conduct of County business; such reimbursement shall be made in compliance with the policy of the County.
 - ii. County vehicles may be taken home overnight by personnel on call to provide emergency services or by designated employees for official business.
 - iii. Employees assigned a "take home" vehicle are limited to a one-way commuting distance of a 20-mile radius from the County Administration Building located at 302 North Main Street.
 - iv. Only properly licensed County employees shall operate county vehicles. Properly licensed volunteer workers may operate County vehicles while acting within the scope of their duties with the prior approval of the County Administrator or his/her designee. Such authorization shall be requested by the appropriate Department Director, Agency Head, or Constitutional Officer through the Human Resources Director with name approval on file prior to allowing a volunteer driver to operate a County vehicle.

b. Unauthorized Use:

- i. County employees may not operate a County-owned or County-insured vehicle without having a valid, properly classified operator's or commercial driver's license as set out in paragraph 6.
- ii. County vehicles may not be utilized for personal purposes. Additionally, personnel authorized overnight use of a County vehicle may use such vehicle for transportation to meals or for personal purposes, including the transporting of non-employees, when traveling in a direct route to and from work.
- iii. Seat belt use is mandatory in all County vehicles. This applies to the driver and all passengers.
- iv. It is absolutely prohibited for County-owned or County-insured vehicles to be utilized if the operator is impaired by, or under the influence of, alcohol, intoxicants or drugs. The possession or consumption of alcohol, intoxicants or illegal drugs while using County vehicles for transportation is also prohibited.
- v. County vehicles are not to be driven in violation of the motor vehicle laws of Virginia. All citations are to be reported immediately to a supervisor.

2. Care and Maintenance of Vehicles.

- a. Operator Responsibilities. Operators of County-supplied vehicles shall be responsible for checking and maintaining correct engine oil level; proper level of coolant in the radiator; ensuring proper operation of headlights, taillights and turn signals; tire pressure (including spare) and tire condition; proper braking action; and general appearance of the vehicle (interior and exterior). If a noted deficiency is not within an operator's ability to correct, the vehicle will be taken in for service promptly. For details, contact the person administering the Motor Pool.
- b. Routine Maintenance Each leased vehicle shall be taken to the County's designated automotive center for leased vehicles for preventive maintenance such as oil changes, tire rotation, brake checks, etc. , on a schedule promulgated by the person administering the Motor Pool. County owned vehicles shall be taken to the facility of the owning department's choosing for preventive maintenance. It shall be the responsibility of the Department/Agency Head to ensure that all assigned vehicles are taken to the appropriate location for preventive maintenance.
- c. Vehicle Alterations. Employees shall not alter or add any equipment to a County vehicle (including AM/FM radios, bumper stickers, racks, tool boxes, etc.) without Department Head/Agency Head/Constitutional Officer approval. Damages resulting from unauthorized modifications may be assessed against the person(s) making such modification.

3. Emergency Repairs / Road Service

- a. Regular Work Day When a vehicle becomes inoperable in the local area, the driver, after seeing that the vehicle is removed from the roadway, is to contact the County's designated automotive repair and towing center for assistance. When a vehicle becomes inoperable out of the local area, the driver may arrange, as necessary, for assistance from County's designated roadside assistance company.
- b. Non-Work Hours / Work Day In the event that a breakdown occurs within a 25-mile radius of Culpeper County and outside of normal working hours, the driver shall contact the County's designated Towing Company, or the nearest available towing service for assistance. If a breakdown occurs beyond the 25-mile radius, the driver is to contact the County's designated road side assistance company for assistance for towing to the County parking lot, or the service facility, whichever is more practical. The driver shall then determine the nature of the problem or cost for repairs. If the vehicle can be repaired for \$250 or less, and it is not feasible to delay repairs until the County can be contacted during normal working hours for guidance, the driver is authorized to have repairs accomplished. If repair estimates are in excess of \$250, the vehicle should be secured at the service facility until repairs can be coordinated with the County. Alternate transportation (i.e., rental cars, taxi) should be utilized until repairs are made or another County vehicle is provided.

4. Vehicle Security Security of a County vehicle is the operator's responsibility. Unattended County vehicles will be locked at all times. Operators may be responsible for loss of County property from an unsecured County vehicle. Park vehicles in safe, well lighted area when possible.

5. Accidents

- a. Driving Practices Operators should practice defensive driving and anticipate and observe the actions of other drivers and control their own vehicles in such a manner as to avoid involvement in an accident. An operator of a County vehicle and all passengers therein shall properly use seat belts. Injury resulting from failure to wear seat belts may constitute gross negligence on the part of the individual and upon case review may jeopardize an employee's eligibility for relief normally provided under Worker's Compensation and other potential disability claims.
- b. Accident Involving County Vehicle In the event an accident should occur involving a County-owned or County-insured vehicle, the Automobile Loss Procedures should be followed:
 - i. Notify the police/fire department of the accident.
 - ii. Get the names, phone numbers and addresses of all persons in the other vehicle(s), the driver's license data of other operators, the license number of

other vehicle(s) and the name of the insurance carrier(s) for the other vehicle(s) involved.

- iii. Complete the data on the incident report form located in the glove compartment of the vehicle and submit this form to the Department of Risk Management within 48 hours.
 - iv. DO NOT ADMIT RESPONSIBILITY and make no statement regarding the accident except to authorized insurance claims representatives of the County's carrier, your supervisor, Risk Management, Human Resources if personal injury is involved, and the police.
- c. Accident Involving Personal Vehicle In the event of an accident the employee's insurance will be sole and primary. The County will reimburse the employee's deductible up to \$250.00, if the employee was not at fault.
- d. Rendering Assistance Upon reaching the scene of an accident, the operator of a County vehicle is authorized to render such assistance as he/she can by caring for the injured first, calling or sending for the fire, rescue or police and taking measures to prevent other vehicles from becoming involved in the accident. When stopping at the scene of an accident, the driver should ensure that the vehicle is parked in a safe location so as to not interfere with traffic.
- e. Case Review The County Risk Manager shall conduct an investigation of the facts and circumstances of accidents involving County-owned vehicles which have resulted in a reported injury or property damage. The Risk Manager is authorized to gather evidence, relevant documents and solicit written statements from County employees. The Risk Manager shall review the accident as soon as practicable and render an opinion as to whether negligence or operating practices were a probable contributing factor to the accident. Corrective action may be required. Corrective action may be administrative in nature, such as additional driver training or may include disciplinary measures. Corrective action may be required after consultation with the Department Head and Human Resources.

6. Driver Qualifications and Training

- a. Licensing Department Heads/Agency Heads/Constitutional Officers are responsible for ensuring that their employees are properly licensed and trained to operate County vehicles. A valid Virginia driver's license is required to operate County vehicles. The basic license requirements for passenger vehicles apply, with the following additional requirement for heavy vehicles operated on the highway:

Those persons required to operate or maintain a vehicle weighing 26,001 pounds or more, gross vehicle weight rating (GVWR); or designed to carry 16 or more passengers, including the driver; or used to transport hazardous materials required to be placarded by federal law, must have a Virginia

Commercial Motor Driver's License (CDL). Such license is required for volunteer drivers, heavy vehicle mechanics and public school bus operators. Commercial license requirements do not apply to operators of emergency vehicles, such as fire fighters. However, operators of emergency vehicles must meet special State and federal skill requirements for driving certifications.

7. Driving Records.

- a. A valid Virginia Driver's license for the appropriate class of vehicle or equipment which will be operated is required. Employees and volunteers who will be required to operate a County vehicle and/or personal vehicle during the course of their employment shall complete a DMV Information Request Form, CRD-93. This will give the County authority to access an individual's driving record.
- b. A Virginia driver's license for current and prospective employees and volunteers may not have DMV restriction codes which limit the driving privilege to the extent that requirements of the jobs applied for or occupied cannot be met.
- c. The DMV record shall be maintained in confidential, individual personnel files and updated annually. DMV driving records for County employees may be obtained from the Division of Motor Vehicles at no expense to the County or individual concerned. The Human Resources officer shall notify the appropriate Department Director/Agency Head/Constitutional Officer and County Administrator when employee's or volunteer's record does not meet the minimum standards described in Sections 7(b) or 8.

8. Driving Standards. A DMV record check of current employees and volunteers will occur, at a minimum, on an annual basis. Drivers must meet minimum standards as determined by the County. In addition to the annual DMV records check, all employees and volunteers must immediately report any change in their license status with the Commonwealth of Virginia to their department head through their immediate supervisor.

They must also report, as soon as practicable, but not later than their next immediate workday, any charge and/or conviction of the following violations: driving under the influence or drugs or intoxicants; refusal to submit to a blood or breath test for determination of drug or alcohol content; reckless driving; leaving the scene of an accident; or vehicular manslaughter or homicide, eluding police, committing a drug offense, regardless of whether or not a motor vehicle is involved, committing a felony involving the use of a motor vehicle.

Employee or volunteer must inform their supervisor, by the next scheduled workday, of any license suspensions, or revocations, or charges being placed for any of the offenses listed in subparagraph (c) below, and the final disposition of the case. Failure to do so may be grounds for immediate dismissal. Drivers must meet minimum standards as determined by the County to use County vehicles. Culpeper County standards are as follows:

- a. No more than two (2) moving violations within the previous twenty-four (24) months (e.g. speeding, failure to yield, violating a traffic signal, failure to stop, improper turn, improper lane change, following too close, reckless driving, etc.)
- b. No more than three (3) moving violations within the previous thirty-six (36) months.
- c. No record of convictions associated with driving under the influence (DUI), reckless driving, eluding police, leaving the scene of an accident, or manslaughter (voluntary or involuntary) within the previous sixty (60) months.
- d. No record of current revocations or suspensions or previous revocations or suspensions associated with moving violations within the last sixty (60) months.

If an employee or volunteer fails to meet driving standards and is in a position where operating a vehicle is essential to the County, appropriate action will be taken depending on the severity and number of the convictions(s). Failure to comply with the standards shall be considered cause for dismissal, or other disciplinary measures as deemed appropriate in the Personnel Management Plan or by the County Administrator.

This procedure does not prohibit Department Directors/Agency Heads/Constitutional Officers from issuing reasonable standard operating procedures with more stringent requirements.

9. Driver Training Operators of County vehicles may be required to participate in a County approved Defensive Driving Program.

- a. Department Heads, Agency Heads, and Constitutional Officers whose employees operate County-provided vehicles shall support the program by ensuring that employees participate in Defensive Driving classes when scheduled and as otherwise required.

10. Miscellaneous

- a. Monitoring Vehicle Use Department Directors/Agency Heads/Constitutional Officers shall carefully monitor and take necessary action to preclude operations that are contrary to the policies and procedures herein.
- b. Citizen Complaints. The department receiving the complaint regarding the use or operation of County vehicles shall complete a Complaint Form (Attachment A) and forward a copy to the appropriate Department Head/Agency Head/ Constitutional Officer and to the County Administrator. Upon receipt, the appropriate Department/Agency Head or Constitutional Officer shall investigate the complaint and report to the County Administrator the results of the investigation and any corrective action taken regarding the complaint.

- c. Approved Departmental Rules Any departmental rules, regulations or procedures approved by the County Administrator governing the use or operation of County-owned or County-insured vehicles, which are not in conflict with this policy, shall be considered a part of this policy and shall be enforced as such.
- d. Action to be Taken Violations of this policy will be reviewed by the County Administrator's office, and may result in loss of County driving privilege or loss of department's vehicle allocations.
- e. Supervisory Responsibilities Department Directors, Agency Heads and Constitutional Officers shall ensure that before their employees are permitted to operate a County vehicle, drivers are properly trained in its use; in procedures to be followed should they be involved in an accident with a County vehicle; in basic maintenance responsibilities of the operator (checking tires, oil level, lights, etc.) and in preventive maintenance services. In addition, each authorized driver, whether full-time County employee or volunteer worker, will be fully briefed on County and departmental personnel policies pertaining to operator negligence and damage to County property.
- f. Reimbursement for Use of Personal Vehicles From time-to-time it may be necessary for employees to use personal vehicles for official County business. Personal vehicles should only be used with the approval of the employee's supervisor. The employee must maintain insurance on his/her own vehicle. Employees are encouraged to contact their individual insurance agent for advisement for their personal vehicle policy conditions. Refer to the County Travel policy for reimbursement details.
- g. Parking and moving violations are the responsibility of the driver of the County vehicle and the personal vehicle while in.

ATTACHMENT A

COMPLAINT RECEIVED

REGARDING USE/OPERATION OF CULPEPER COUNTY VEHICLE

I. TO BE COMPLETED BY PERSON RECEIVING THE CALL:

1. Name and phone number of citizen making complaint:

_____ Call was anonymous.

2. Date of Occurrence: _____

3. Vehicle Number: _____

4. License Plate Number: _____

5. Vehicle Description: _____

5. Department/Division Vehicle Assigned to: _____

6. Description of Driver (if given): _____

7. Location of Occurrence: _____

8. Nature of Occurrence: _____

II. TO BE FILLED OUT BY DEPARTMENT HEAD AND RETURNED TO COUNTY ADMINISTRATOR:

1. Name of Employee: _____

2. Position: _____

3. Summary of Findings:

4. Action Taken (if any) by Department Director: _____

1. Signature of Department Director: _____

Date: _____

It is the goal of Culpeper County to establish and maintain a safe and healthy workplace for its employees, free from drug and alcohol abuse, and to protect the safety of the public by providing the highest quality service.

While the County is concerned about the health and welfare of employees who may be experiencing problems with drugs or alcohol, we are not relieved of our responsibility to maintain a drug-free workplace. The use of alcohol, illegal drugs or the misuse of prescription drugs is not acceptable and will not be tolerated in the County workplace. As a condition of employment, each employee shall abide by the terms of this County policy and regulations respecting a drug-free workplace, and shall adhere to the procedures delineated in the Administrative Procedures document.

1. Regulations

No employee shall unlawfully manufacture, distribute, dispense, possess or use on or in the workplace any narcotic, hallucinogenic, amphetamine, barbiturate, marijuana or any other controlled substance.

“Workplace” is defined to mean any site for the performance of work by an employee. This includes any County or premises; any County-owned vehicle; any building or premises used by the County for County-business; any non-County property during any County-sponsored or County-approved event, activity or function; and all County owned property such as offices, desks, lockers, safes, file cabinets, and tool boxes. Any County workplace as defined herein is subject to drug detection inspection at the discretion of the County. The County reserves the right to search all County workplaces. Employees may not assume an expectation of privacy with regard to their workplaces, offices, desks, lockers, safes, file cabinets, and/or toolboxes.

As a condition of employment, each employee shall notify his or her supervisor of his or her conviction for violation of any criminal drug law no later than 5 days after such conviction.

The possession and/or consumption of illegal drugs or alcoholic beverages in the workplace is prohibited, as is reporting to work under the influence of alcohol or a controlled substance.

Violations of this policy will result in appropriate disciplinary action up to and including termination, as indicated in Section VIII of the Personnel Management Plan.

2. Drug and Alcohol Testing.

The County will contract with a laboratory which employs an individual eligible to be a Medical Review Officer under federal regulations, to perform the collection and testing services. Tests may be required in the following cases:

1. Applicants who have been offered employment, contingent upon the receipt of satisfactory references, background checks and drug screens.
2. Employees in safety sensitive positions, as defined in the Administrative Procedures, who have been selected for a random test.
3. Any employee who exhibits behavior constituting a reasonable suspicion of impairment.
4. Employees who drive County vehicles may be required to be tested following a

reportable vehicle accident.

4. Any employee who has been authorized to return to duty following a positive drug screen for which the employee was not terminated, and following completion of an authorized treatment program. This testing may be done on an unannounced basis a minimum of six times during a the twelve month period immediately following the return to work.
5. Any employee in and post-offer applicants for positions which require a commercial drivers license as a condition of employment. These tests will occur on a pre-employment, post offer basis; randomly after hiring; following a reportable vehicle accident; and on a return to work basis after testing positive, if not terminated.

In all cases, a refusal to submit immediately to the drug test will result in disciplinary action, up to and including termination.

3. Consequences of a Confirmed Positive Test Result

If the test result is positive, the employee will be subject to disciplinary action, up to and including termination. In the event the employee is not terminated, it shall be necessary for the employee to be evaluated by a substance abuse professional, and possibly complete a treatment program at his or her own expense prior to being allowed to resume duties. In any case, a return to work agreement must be signed and a return to work drug test must be administered prior to the individual returning to work. Thereafter, the employee will be subjected to a minimum of six unannounced tests in the next twelve months.

All information pertaining to employees and applicants with respect to drug testing is confidential and maintained in a secured file. It will be disseminated only on a confirmed "need to know" basis.

4. Guidelines for Reasonable Suspicion Testing

An employee may be required to submit to drug or alcohol tests when there is reasonable suspicion of impairment. A trained supervisor will make this decision according to the Administrative Procedures. Generally, the following examples, alone or in combination, may comprise reasonable suspicion:

1. Unexplained inability to perform normal job functions.
2. Slurred speech.
3. Smell of alcohol or drugs on the breath.
4. Any unusual lack of physical coordination or loss of equilibrium.
5. Unexplained hyperactivity or depression and withdrawal.
6. Unexplained inability to think, reason or perform at the employee's normal level.
7. Unusual or bizarre behavior.

If the employee refuses to be tested, the supervisor shall document the refusal and the employee shall be immediately suspended from duty and transported home. Further, such refusal shall be the basis for discipline, up to and including dismissal.

5. Delegation of Authority.

Authority is hereby delegated to the County Administrator to approve and issue any administrative policies and procedures necessary to properly implement this policy. All such policies and procedures must be consistent with this policy and any applicable laws.

6. Modifications.

The County reserves the right to modify this policy as needed, including but not limited to expanding testing and search programs.

I. Purpose

It is the County's objective to provide a fair and objective administrative process for the implementation of a reduction in force (RIF) and to ensure that employees are released in a nondiscriminatory manner should a reduction in force become necessary due to lack of funding, changes in workload, reorganization of functions, and a decrease in services.

The following RIF policy and process shall only be followed if there are sufficient available funds to cover the costs of carrying out the RIF.

II. Scope

This policy applies to all employees

III. Procedures

A. Guidelines

1. A reduction in force may be implemented on a County-wide, department or position specific basis.
2. A reduction in force may be voluntary or involuntary. Generally a voluntary RIF will be offered before an involuntary reduction in force is implemented.
3. A reduction in force may require the separation, transfer, demotion, or reduction in work hours.
4. The reduction in force policy set forth in the Personnel Management Plan only applies to regular full time or part time employees.
5. All employees within non-covered categories (e.g. probationary employees, temporary employees, seasonal employees) may be separated from employment at anytime in the order deemed appropriate by the County Administrator or designee. Normally all employees within non-covered categories shall be released from employment before employees in covered categories are affected by a voluntary or involuntary reduction in force.

B. Pre-Implementation

5. When a reduction in force is necessary, the County or specific department shall:
 - a. Determine whether the entire organization, or a department(s) are to be affected;
 - b. Designate position(s) to be affected as appropriate, and
 - c. Review all vacant positions to identify vacancies that can be used as placement options for employees that will be impacted by the reduction in force.
6. Vacancies that have been identified as placement options may be filled after the organization determines that no employees affected by the layoff are eligible for or interested in the positions.
7. ***The RIF policy is contingent upon funding being available in current year budget. To the extent that funds are available, severance payments shall be paid in order of precedence: annual leave payout and other eligible employee benefits shall be paid first. These payments shall be paid at time of the RIF. Only if there are remaining available funds shall RIF payments as described above be paid to employees that are subject to the RIF.***

Voluntary Reduction in Force ProceduresC. Eligibility

1. All regular full and part employees are eligible to volunteer to participate in this program if it is offered in their department and/or position. Options under the voluntary RIF include:
 - a. Separating/terminating employment
 - b. Transfer or demotion
 - c. Reduction in hours
2. Generally employees who occupy critical or hard to fill positions, or employees who possess critical knowledge or skills, will not be allowed to participate except with the approval of the County Administrator or designee.

D. Transfer/Demotion/Reduction in Hours

1. An employee may request to be transferred or demoted to another position within the organization, or request a reduction in hours. If the request is accepted, an employee shall be paid at the rate of the new position and/or the status (full or part time).
2. Employees are not guaranteed employment if they are transferred or demoted. An employee must be able to demonstrate that they meet the minimum qualifications of the new position after being employed in the position for a period of six months. Training may be provided during the first six months to assist the employee in meeting the minimum requirements.

E. Severance

1. Employees who volunteer to participate in the voluntary RIF shall be eligible for a severance.
2. Severance shall be based on length of service and salary at separation based on the following chart.

| Years of Service | Payment |
|---------------------------|----------------------|
| Less than 1 Year | 1 month base salary |
| 1 but less than 5 years | 2 months base salary |
| 5 but less than 10 years | 3 months base salary |
| 10 but less than 20 years | 4 months base salary |
| 20 or more years | 5 months base salary |

3. Each employee's length of service shall be calculated using each month worked; therefore, one (1) month worked equals one (1) month of service OR twelve (12) months worked equals one (1) year of service.
4. A part time employee's base salary will be the average of the employee's pay over the previous twelve (12) calendar months prior to the effective date of the VRIF.
5. An employee **may** also receive, in addition to the above, up to five (5) percent of their current base salary if the average of the last three (3) performance evaluations states that the employee is more than proficient in his or her job.

| Overall Performance Score | Payment |
|---------------------------|---------|
| Less than BIA | 0% |
| BIA | 1.25% |

| | |
|----------|-------|
| BIA + 1% | 2.5% |
| BIA + 2% | 3.75% |
| BIA + 3% | 5% |

6. An employee may also receive, in addition to the above, a contribution toward the County's group health insurance if the employee is enrolled in the County's group health plan on the effective date of the VRIF. Payment for health insurance may be distributed to the (1) employee or (2) appropriate carrier to ensure payment of insurance.

| Years of Service | Health insurance contribution |
|---------------------------|-------------------------------|
| Less than 1 Year | 1 month of premium |
| 1 but less than 5 years | 2 months of premiums |
| 5 but less than 10 years | 3 months of premiums |
| 10 but less than 20 years | 4 months of premiums |
| 20 or more years | 5 months of premiums |

(One month of premiums shall be the equivalent/average of the total premium for the employee only option(s))

7. Severance payments shall be dispersed on a monthly basis, equally over at least a three (3) month period.

D. Unemployment Compensation

1. Decisions regarding eligibility for unemployment compensation are made by the Virginia Employment Commission. An employee who receives unemployment compensation shall have his or her severance reduced by the amount of the unemployment compensation.

G. Recall

1. An employee shall have recall right as outlined in Subsection *Recall* of this policy.

This program is strictly a voluntary action on the part of any employee to whom this option is offered. An employee shall not be forced or coerced in any way to volunteer to participate in the program.

Involuntary Reduction in Force Procedures

H. Reduction in Force Criteria

1. Regular employees shall be selected for a reduction in force based on the following criteria:
 - a. Demonstrated current and past performance;
 - b. Length of service with the organization.
2. Other factors that may be considered during a reduction in force and when two (2) employees have the same value rating include:
 - a. Promotional potential and transferability of skills to others positions within the organization;
 - b. The needs of the organization and specific projects.

I. Rating Value

1. Each regular employee in an affected position shall be assigned a rating value which will be a combination of creditable service and the total weighted score of the last three (3) performance

evaluations.

2. An employee shall receive one (1) point for each full month of service.
 - a. Only time actually worked during the course of employment shall be included in the calculation of creditable service. Breaks in service greater than 30 days may be included in the service credit if required by law.
 - b. The creditable service points shall equal ten (10) percent of the rating value.
3. The total weighted score of the last three (3) performance evaluations shall equal ninety (90) percent of the rating value.
4. Calculation of the rating value shall be as follows:
$$\frac{\text{(Number of months of creditable service/number of months within a year)} \times .1}{+ \text{(sum of performance evaluation points/number of evaluations)} \times .9}$$
5. Employees with the lowest rating value shall be separated from employment first.
6. Employees affected by the reduction in force shall be given as much notice as is required by law or as much as is reasonable under the circumstances.

J. Job-Sharing and/or Reduced Hours in lieu of separation

1. Department Heads should consider job-sharing or reduced working hours in an effort to reduce the number of employees who would otherwise be separated from employment.
2. A recommendation on the feasibility of job sharing and/or reduced working hours shall be forwarded to the Human Resources Director with an analysis of the impact on services, fiscal cost comparisons and other pertinent data. The County Administrator or designee shall approve or deny the recommendation.
3. Employees who have been identified to be affected by the reduction in force, and who have the highest rating value of the affected group may be offered job sharing and/or reduction in hours first depending on job qualifications.
4. After being offered job-sharing and/or reduced hours, an employee shall have five (5) working days to accept the offer or otherwise be considered for guidelines outlined in Subsection *Transfer/Demotion in Lieu of Separation* of this policy.
5. An employee working less than forty (40) hours in a workweek shall be placed in a part time status.

K. Transfer/Demotion in lieu of separation

1. Regular employees affected by a reduction in force shall be considered for transfers to a comparable position within the department or organization if performance is at least proficient in their current position.
2. An employee shall first be considered for a position in the same classification and status (full or part time). After being offered the lateral transfer, he or she shall have five (5) working days to accept the offer or otherwise be separated from employment.

3. If no vacancies exist in the same classification, an employee may be considered for a demotion and/or reduced status (full or part time). After being offered the demotion and/or reduced status, he or she shall have five (5) working days to accept the offer or otherwise be separated from employment.
 - a. An employee shall be paid at the rate of the new position and/or the status (full or part time).
4. Employees are not guaranteed employment if they are transferred or demoted. An employee must be able to demonstrate that they meet the minimum qualifications of the new position after being employed in the position for a period of six months. Training may be provided during the first six months to assist the employee in meeting the minimum requirements.
5. At anytime during the reduction in force an affected employee may apply for a promotion and/or an increase in status (full or part time), but he or shall be subject to the organization's selection procedures as outlined in Section II, *Recruitment & Selection* of the Personnel Management Plan.

L. Severance

1. The County Administrator shall authorize to provide severance pay to affected employees who are at least proficient in their current position. Only regular employees are eligible for severance pay.
2. Severance shall be based on length of service and salary at separation based on the following chart.

| Years of Service | Payment |
|---------------------------|------------------------|
| Less than 1 Year | 2 weeks base salary |
| 1 but less than 5 years | 1 month base salary |
| 5 but less than 10 years | 1.5 months base salary |
| 10 but less than 20 years | 2 months base salary |
| 20 or more years | 3 months base salary |

3. Each employee's length of service shall be calculated using each month worked; therefore, one (1) month worked equals one (1) month of service OR twelve (12) months worked equals one (1) year of service.
4. A part time employee's base salary will be the average of the employee's pay over the previous twelve (12) calendar months prior to the effective date of the VRIF.
5. Severance payments shall be dispersed on a monthly basis, equally over at least a three (3) month period.
6. Severance pay shall be forfeited by an employee:
 - a. who declines a lateral transfer where the general terms and conditions of employment are identical to those, which the employee enjoyed in the position held prior to the reduction in force or;
 - b. who accepts a demotion where the general terms and conditions of employment (including pay) are identical to those, which the employee enjoyed in the position held prior to the reduction in force.

M. Recall

1. A regular employee who is demoted, reduced in hours, or separated from employment during a reduction in force, and whose performance was at least proficient in their former position shall have the opportunity to be re-employed with the County for a period of two (2) years from the effective date of the reduction in force.
2. Employees with the highest rating value shall be recalled first.
3. An employee may be offered a position within the same classification and status (full or part time) as their former position.
 - a. An employee who accepts the offer shall be reinstated with at least the same rate of pay and annual leave accrual prior to the reduction in force.
 - b. An employee who rejects the offer shall be removed from the active recall list.
4. An employee may be offered a position in a lower classification, in a non-covered category, or in a reduced status (full or part time) as their former position.
 - a. An employee who accepts the offer shall be reinstated within the pay scale and hours for the position.
 - i. Annual leave may be reinstated and at least at the same accrual prior to the reduction in force depending upon the position.
 - ii. The employee shall also retain recall rights to a position within their former classification and status (full or part time) during the one year period.
 - b. An employee who rejects the offer shall retain recall rights within the same classification as their former position.
5. Employees shall be contacted for recall via email, telephone, and/or registered mail using the employee's current contact information on file in the Human Resources department.
 - a. An employee shall have ten (10) business days following receipt of the notice(s) to notify the Human Resources Department of the acceptance or rejection of the recall.
 - b. In the event the employee does not respond, he or she shall be removed from the recall list, and will no longer have the opportunity to be re-employed with the County.
 - c. It is the responsibility of the employee to notify the Human Resources Department of any changes in contact information.